



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.

S - SECTION II "

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VOID UNLESS RECORDED BEFORE 12-9-89



LEGAL DESCRIPTION THE TRAILS SUBDIVISION-SECTION II

of the Southeast Quarter of Section 22, Township 14 North, Range 3 East of the Second Principal Meridian, located in Perry Township, Marion County, Indiana described as follows:

Commencing at the Southeast corner of the Southeast Quarter of Section 22, Township 14 North, Range 3 East, thence South 89 degrees 01 minutes, 05 seconds West (South 89 degrees 01 minutes 35 seconds West platted bearing, the Depot Section I) along the South line of said quarter section 1341.21 feet; thence North 00 degrees 00 minutes 26 seconds East parallel to the East line of said quarter section 305.00 feet; thence South 89 degrees 01 minutes 05 seconds West parallel to the said south line 305.07 feet; thence North 00 degrees 00 minutes 23 seconds West parallel to the West line of the said quarter section 322.76 feet to the POINT OF BEGINNING; thence North 00 degrees 00 minutes 23 seconds West parallel to the said West line 456.49 feet; thence South 89 degrees 01 minutes 05 seconds West parallel to the said south line 160.70 feet; thence North 00 degrees 00 minutes 23 seconds West parallel to the said West line 196.15 feet to a point on the south line of Hunter's Run Section 7 (Instrument #86-98296); thence North 89 degrees 07 minutes 40 seconds East (South 88 degrees 36 minutes 55 seconds West platted bearing Hunter's Run) along the south line of Hunter's Run Section 7 and Section 6 (Instrument #86-78333) 474.86 feet to the Southeast corner of said Section 6; thence North 00 degrees 00 minutes 02 seconds East along the east line of said Section 6 14.40 feet, being the southwest corner of the Depot Section VI (Instrument # 83-80888); thence North 88 degrees 57 minutes 47 seconds East along the south line of said subdivision 374.02 feet to a point on the westline of the Depot Section III (Instrument #80-64072); thence South 00 degrees 00 minutes 26 seconds West along the said west line 658.01 feet; thence North 89 degrees 59 minutes 34 seconds West 190.00 feet; thence South 00 degrees 00 minutes 26 seconds West parallel to the East line of said quarter section 20.37 feet; thence North 89 degrees 59 minutes 34 seconds West 497.93 feet to the Point of Beginning, containing 11.149 acres, more or less. Subject to all legal right-of-ways, easements and restrictions of record.

This subdivision consists of 34 lots; with the streets as shown on the Plat. All lot corners are as shown thereon, with the dimensions in feet and decimal parts thereof.

I certify that I am a Registered Land Surveyor Licensed under the Laws of Indiana; that this represents a survey made under my direction on the 2nd day of November, 1987; and that the above plat and description are a true and accurate representation of the described real estate.

Steven Brent Williams
STEVEN BRENT WILLIAMS
REGISTERED LAND SURVEYOR # SD390
STATE OF INDIANA
STEVE WILLIAMS & ASSOCIATES, INC.



ST. CORNER
T RUN SECTION 6

The undersigned, Newtowne Development, Inc. Robert K. Yeager, President and Virginia M. Yeager, Secretary, owners of the real estate described in the plat of The Trails, Section II, does hereby lay off, plat and subdivide the same in accordance with the plat and description. The Trails, Section II consists of twenty-four (24) lots numbered twenty (20) to fifty-three (53) inclusive. The following restrictions, limitations and covenants are hereby imposed upon and shall run with the land contained in such plat.

1. The foregoing plat shall be known and designated as The Trails, Section II.
2. Streets as designated on the plat if not heretofore dedicated are hereby

Steven Brent Williams

STEVEN BRENT WILLIAMS
REGISTERED LAND SURVEYOR # S0390
STATE OF INDIANA
STEVE WILLIAMS & ASSOCIATES, INC.



EAST CORNER
R'S RUN SECTION 6

The undersigned, Newtowne Development, Inc. Robert K. Yeager, President and Virginia M. Yeager, Secretary, owners of the real estate described in the plat of The Trails, Section II, does hereby lay off, plat and subdivide the same in accordance with the plat and description. The Trails, Section II consists of twenty-four (24) lots numbered twenty (20) to fifty-three (53) inclusive. The following restrictions, limitations and covenants are hereby imposed upon and shall run with the land contained in such plat.

1. The foregoing plat shall be known and designated as The Trails, Section II.
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. Not more than one building shall be erected or used for residential purposes on any lot in this addition.
9. 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 limitations 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.
10. 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. A maximum number of dogs per household allowed is one.
11. All driveways in the subdivision shall be paved with either asphalt or concrete.
12. All sidewalks in the subdivision will be installed by the purchaser within one year of purchase or as required by Marion County Ordinance.
13. There are strips of ground as shown on the plat marked drainage, sanitary sewer and/or utility easements which are reserved as easements for the use of the municipality in which the 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.

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- 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.
14. Architectural Design and Environmental Control: No building, fence, wall or other structure shall be erected, placed and altered on any 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 The Trails, Section Two shall be the proper concern of the Committee. This committee shall be composed of the Robert K. Yeager or Virginia M. Yeager 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.
15. Unless approved by the Architectural Control Committee:
1. All dwelling exteriors shall have One Hundred (100) percent masonry construction. Except gables and upper walls in two story homes can have wood siding.
 2. There shall be no vinyl or aluminum siding on any dwelling.
16. 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 1250 square feet, and no two (2) story dwelling shall contain less than 1000 feet of living area on the ground floor, provided the total living area shall not be less than 1800 square feet total on all two stories (exclusive of open porches, garages and other areas not considered living area).
 - B. All dwellings shall have at least a two (2) car attached garage.
 - C. All dwellings shall have a roof with a minimum of 5/12 pitch.
17. The Metropolitan Development Commission, its successors and assigns, shall have no right, power or authority to enforce any covenants, commitments, restriction 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-AC-3, as amended, or any conditions attached to approval of this plat by the Plat Committee.
18. 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 by judgement or court order shall in no way affect any of the other provisions which shall remain in full force and effect.
19. 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 or basement.
- IN WITNESS WHEREOF, ROBERT K. YEAGER, Secretary of Newtowne Development, Inc. hereby dedicate this plat and hereby execute these Plat Restrictions this
- 23 day of FEB., 1989.

B. All dwellings shall have at least a two (2) car attached garage.

C. All dwellings shall have a roof with a minimum of 5/12 pitch.

17. The Metropolitan Development Commission, its successors and assigns, shall have no right, power or authority to enforce any covenants, commitments, restriction 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-AC-3, as amended, or any conditions attached to approval of this plat by the Plat Committee.

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19. 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 or basement.

~~IN WITNESS WHEREOF~~ Robert K. Yeager, President and Virginia M. Yeager, Secretary of Newtowne Development, Inc. hereby dedicate this plat and hereby execute these Plat Restrictions this 23 day of FEB, 1989.

NEWTOWNE DEVELOPMENT, INC.

Robert K. Yeager
Robert K. Yeager, President

Virginia M. Yeager
Virginia M. Yeager, Secretary

STATE OF INDIANA

SS:

COUNTY OF Johnson

Before me, a Notary Public in and for said County and State, personally appeared Robert K. Yeager, President and Virginia M. Yeager, Secretary of Newtowne Development, Inc. 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 23rd day of Feb., 1989.



Lisa J. Foley
Notary Public

Lisa J. Foley
Printed or Typed Signature

My Commission Expires:
2-28-92

87 P 125

My County of Residence:
Johnson

PREPARED BY:
FRANKLIN ENGINEERING CO.
151 W JEFFERSON ST.
FRANKLIN, INDIANA 46131

FOR:
KOE ENGINEERING INC.
70 E MAIN ST.
GREENWOOD, INDIANA 46143