



# **DAVID BRENTON'S TEAM**

---

## **RE/MAX Select, REALTORS**

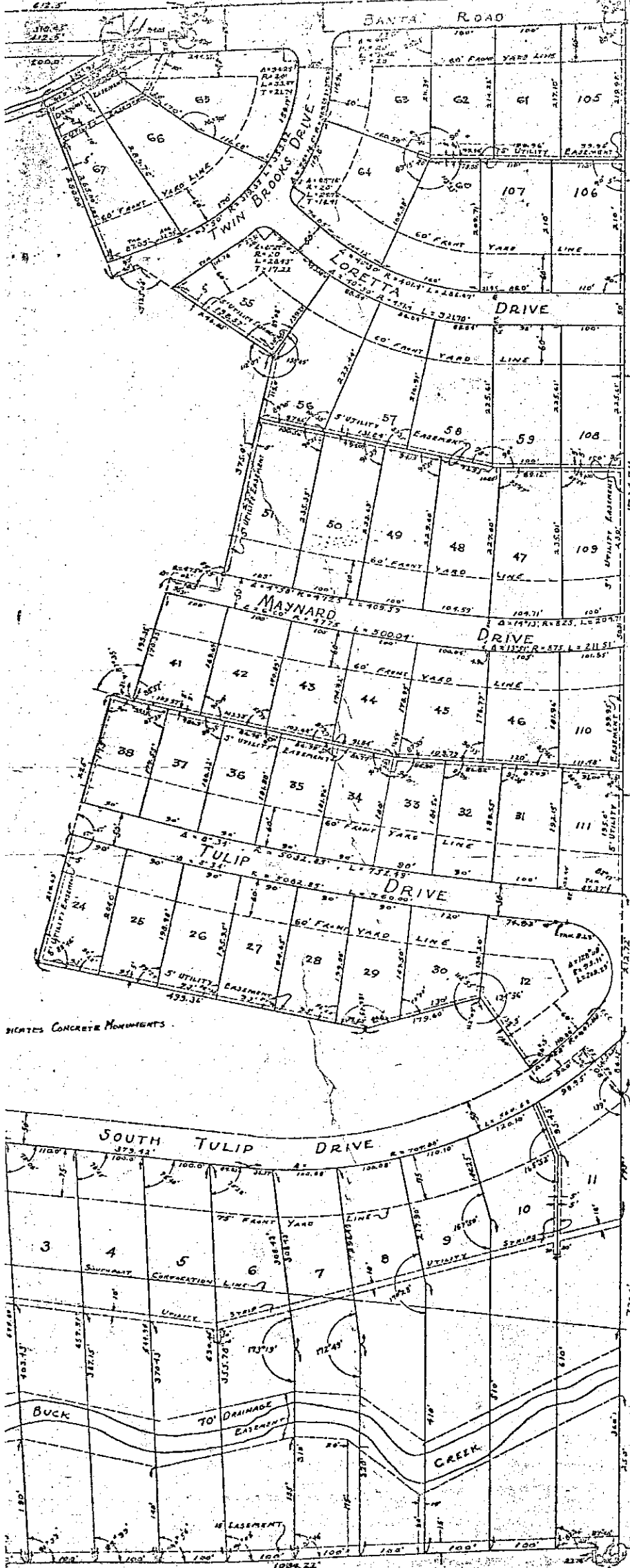
**48 N Emerson Ave Suite 600 Greenwood, IN 46143-8895**

**(317) 882-7210 Office • (317) 888-7201 Fax**

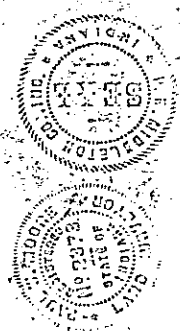
**[www.move2indy.com](http://www.move2indy.com)**

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.**



DAILY BUSINESS  
FOR TAXATION  
JUL 3 1955  
Ray T. Moore  
COUNTY CLERK



**TWIN BROOKS SECOND SECTION**  
**LOTS 2-11 OF TWIN BROOKS FIRST SECTION AMENDED**  
A SUBDIVISION OF PART OF THE S.W. 1/4 OF SEC. 8, T14N, R4E.

We the P. E. Middleton Co., Inc., registered, professional engineers and land surveyors in the State of Indiana, hereby certify that the within plat of Twin Brooks Second Section was surveyed by us and is true and correct and represents a subdivision of a part of the Southwest Quarter of Section 8, Township 14 North, Range 4 East in Marion County, State of Indiana, more particularly described as follows:

Begin at the northwest corner of the southwest quarter of Section 8; thence south on and along the west line of said southwest quarter section 49.50 feet; thence east parallel to the north line of the aforesaid quarter section 318.45 feet to the place of beginning; thence southwardly at right angles to the last described course 20.00 feet; thence southwestwardly on a forward deflection angle to the left 82° 34' a distance of 133.90 feet; thence southeastwardly on a forward deflection angle to the left of 82° 34' a distance of 290.00 feet; thence northeastwardly at right angles to the last described course 40.00 feet; thence southeastwardly on a forward deflection angle to the right of 56° 34' a distance of 245.95 feet; thence southwestwardly on a forward deflection angle to the right of 67° 53' a distance of 374.00 feet; thence westwardly on a forward deflection angle to the right of 90° 31' on the cord of a curve having a radius of 4750 feet a distance of 36.00 feet to the point of curve; thence southwardly at right angles to a tangent to aforesaid curve at the last described point a distance of 195.35 feet; thence westwardly on a forward deflection angle to the right of 97° 24' a distance of 31.80 feet; thence southwardly at 90° to the last described line 225.00 feet; thence southwestwardly on a forward deflection angle to the left 3° 13' a distance of 210.63 feet; thence eastwardly on a forward deflection angle to the left of 91° 14' a distance of 499.36 feet; thence northeastwardly on a forward deflection angle to the left 23° 11' a distance of 179.60 feet; thence southeastwardly on a forward deflection angle to the right of 67° 41' a distance of 160.00 feet; thence northeastwardly on a forward deflection angle to the left of 93° 45' and along a curve having a radius of 682.88 feet a distance of 90.00 feet; thence southeastwardly at right angles to the tangent of the aforesaid curve at the last described point 90.00 feet to a point which is 258.82 feet west of the east line of the west half of the southwest quarter of said Section 8; thence northwardly parallel to the aforesaid east line of the west half of the southwest quarter 1724.71 feet to the north line of the southwest quarter section; thence west along and with said north line 672.42 feet; thence south parallel to the west line of said quarter section 49.50 feet; thence west parallel to the north line of said quarter section 94.04 feet to the place of beginning, containing 28.17 acres more or less.

Also lots 2 to 11 inclusive in Twin Brooks First Section as per plat thereof in the Office of the Recorder of Marion County, Indiana, Plat Book 29, page 4.

The size of the lots and width of the streets and easements as shown on this plat are in figures denoting feet and decimal parts thereof.

This subdivision consists of 57 lots including a replatting of lots 2 to 11 inclusive of Twin Brooks First Section as recorded in Plat Book 20, page 5 in the Office of the Recorder of Marion County, Indiana. These lots are numbered 2 to 12 inclusive; 24 to 30 inclusive; 31 to 35 inclusive; 41 to 43 inclusive; 44 to 47 inclusive; and 104 to 111 inclusive; Streets, easements and public ways shown on the within plat.

WITNESS our hand and seal this 2nd day of May, 1955.  
P. E. MIDDLETON CO., INC., ENGINEERS  
By Ray T. Moore, Sec. 2973  
P. W. Moore

(a) The undersigned Henry F. and Adele H. Nordalek and Horace W. and Gertrude J. Page, of Indianapolis, Indiana, owners of Twin Brooks Addition Section located in part of the Southeast Quarter of Section 8, Township 14 North, Range 4 East, in Marion County, Indiana do hereby certify that they respectively laid off, platted and subdivided and do hereby lay off, plat and subdivide into lots and streets in accordance with this plat the real estate mentioned in the foregoing certificate, to be known and designated as Twin Brooks Second Section.

Ivan L. and Katherine E. Varble, Paul A. and Emma E. Ziegler, Harry W. and Dorothy M. Miller, owners of lot 10, 9, and 8 respectively in Twin Brooks First Section as per plat thereof in the Office of the Recorder of Marion County, Indiana, Plat Book 29, page 5, join in the dedication of this plat for the purpose of correcting an error appearing in the aforesaid plat of the First Section and for the purpose of changing the location of a utility strip across the aforesaid lots and for the additional purpose of dedicating an easement 15 feet in width across the entire south end of the aforesaid lots as shown on the within plat.

(b) Streets shown and not heretofore dedicated are hereby dedicated to the public.

(c) Front and side building lines as shown on the above plat are hereby established, between which lines and the property lines of the several streets there shall be erected and maintained no permanent or other structures or part thereof, except open porches, and except as to the side yard lines under the conditions hereinafter referred to.

(d) There are strips of ground marked "Utility Strips" shown on the plat that are hereby reserved for public utilities, not including, however, transportation companies, for the installation and maintenance of poles, wires, sewers, drains, ducts, lines and wires. Purchasers of tracts in this addition shall take title subject to the easements hereby created and subject at all times to the rights of proper authorities to service such utilities in the easements hereby created for said utility strips. And no permanent structures of any kind and no part thereof, except fences, shall be built, erected or maintained on said utility strips.

(e) An easement 15 feet in width across the south end of lots 2 to 11 inclusive shall be for the purpose of ingress and egress of and across said easement and shall be restricted to the owners of lots 2 to 11 and their heirs and assigns.

LAND HENRY F. AND ADELE H. NORDALEK OWNERS OF LOTS 2-11

and marked "easement for drainage" which are reserved for the channeling of existing water flow, on which no building of any kind, trees or shrubs may be erected, planted or maintained. Culvert pipes for driveways must be a minimum of 12 inches in diameter and 18 feet in length.

(f) All tracts in this addition shall be designated as residential tracts. Only one single-family dwelling with accessory buildings, and not exceeding two stories in height, may be erected or maintained on any platted tract therein except as otherwise provided in these restrictions.

(g) No tract in this addition shall be re-subdivided into a building plot having an area of less than 15,000 square feet.

(h) No residence shall be erected or maintained on any tract or part thereof in this addition having a ground floor area exclusive of open porches and verandas shall be erected or maintained on any tract or part thereof in this addition until plans have been submitted and approval given in writing by the Building Committee as hereinafter provided. No dwelling or residence or structure of any kind may be erected or maintained on any tract or part thereof in this addition that does not conform to the Marion County, Indiana, Building Code and Master Plan.

(i) Any building or residence must be fully completed on the outside thereof before being occupied. Building paper and other similar materials shall not constitute in whole or any part of the outside finish of any building. No trailer, tent, shack, basement, storage or temporary structure of any kind shall be used for temporary or permanent residential purposes of any tract in this addition.

(j) The exterior of the dwellings shall be of stone, brick, or new wood or any manufactured material of common and prevalent use in the building trade or any portion and combination of such material, and shall be in keeping with the development of the community. Garages and accessory buildings shall be made of stone, brick, new wood, manufactured blocks or any manufactured material of common and prevalent use or any portion and combination of such material. Concrete block, cinder block, or material of similar appearance, may not be used as the exterior finish of any residence, attached garage, or veranda attached to residence by a breezeway. Simulated brick or stone (e.g. brickcrete or perma-stone) may be used for residence construction.

(k) Until such time as a sanitary sewer system is available in this area, a sanitary septic tank of not less than 800 gallon capacity with adequate absorption bed shall be installed for each dwelling erected. Such septic tank and absorption bed shall be of such type and construction as approved by the Indiana State Board of Health, and so located upon the individual tract as to be approved in writing by the "Twin Brooks Addition Building Committee" hereinafter referred to. No other sanitary provisions or devices for sewage disposal shall be permitted or used in this addition. No septic tank, effluent or laundry tub or sink or basement drain water may be tiled into any open ditch; downspout water may be tiled to the street or any open, natural line or drainage; tiles around the exterior of a basement walls and footings may likewise be tiled into any natural drainage available as long as there is no connection with the sewage system of the property involved. (l) No noxious or offensive trade shall be carried on upon any tract in this addition, nor shall anything be done thereon which shall be or become a nuisance to the neighborhood.

(m) The owners of each of the several tracts of land are to keep them clean and orderly. Excess lumber and building materials are to be removed within a reasonable length of time after completion of buildings. All weeds are to be mowed. No junk, old unused cars or equipment are to be parked on any tract in this addition, or any materials or debris of any kind that present an unsightly appearance.

(n) No building or part thereof shall be built nearer than 15 feet to any line of any tract, except that in the case where the same person or persons own two adjoining tracts not separated by an easement for utilities as shown on said plat, such owner may build a residence or dwelling house or apartment garage across the dividing line or may build to coincide with or be nearer than 15 feet to such dividing line, but no residence or building of any character shall be built in such a manner as to be on any part of any strip covered by such utility easement and provided further that in no case shall any residence or building be erected nearer to any other residence or building than 30 feet. Front building setback lines as shown on plat must be observed.

(o) No building shall be erected, placed on or altered on any of these tracts in this addition until the building plans, lot plans and specification showing the location thereof have been approved in writing by a majority of a committee to be known as the "Twin Brooks Building Committee" and composed of Henry F. Nordalek, Adale H. Nordalek, and Karl F. Sunkeller, or approved in writing by Henry F. Nordalek as Agent for said Committee for conformity and harmony of external design with existing structures in this area. And also as to location of buildings with respect to property and building setback lines. In the event of the death of any member or members of this committee, the surviving member or members shall have the authority to approve or disapprove such design and location or at their option delegate these powers to an owners' committee as provided below. In any event, after the then owners of record of a majority of these tracts in this addition, subject to the covenants herein set forth may designate in writing, duly recorded among the Land Records, their authorized representatives who thereafter shall have all the powers, subject to the above limitations, as were previously delegated herein to the said committee. Said building committee shall act and serve without compensation. Existing structures which have been erected prior to the date hereto are exempt from these restrictions.

(p) The right to enforce these restrictions shall vest in the owners of the tracts in this addition, and the said right, together with the right to cause removal of any structure or part thereof erected or maintained in violation of these restrictions, may be exercised by injunction or by appropriate action at law. Failure to have enforced any previous violation of any of such restrictions herein contained shall not estop the enforcements of a subsequent violation of any of such restrictions.

(q) Invalidity 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.

(r) These restrictions constitute covenants running with the land and shall be in effect for periods of 10 years from this date, provided that at the expiration of said term these restrictions shall be automatically renewed thereafter for periods of 10 years each, unless, at least one year prior to the expiration of the first 10 year period, the owners or owner of a majority of tracts in this addition shall execute and acknowledge a declaration in writing waiving renewals, and said written declaration shall be recorded in the office of the Recorder of Marion County, Indiana, in which event the provisions above set out for renewals shall be nullified.

IN WITNESS WHEREOF, Henry F. Nordalek and Adale H. Nordalek, husband and wife, and Horace H. Page and Gertrude J. Page, husband and wife, Ivan L. Warble and Katherine E. Warble, husband and wife, Paul A. Ziegler, husband and wife, and Harry M. Miller, husband and wife, and Dorothy M. Miller, husband and wife, have caused this instrument to be executed this 23rd day of May, 1955.

Henry F. Nordalek, husband  
Horace H. Page, husband  
Ivan L. Warble, husband  
Paul A. Ziegler, husband  
Harry M. Miller, husband  
Adale H. Nordalek, wife  
Gertrude J. Page, wife  
Katherine E. Warble, wife  
Emma E. Ziegler, wife  
Dorothy M. Miller, wife

STATE OF INDIANA  
COUNTY OF MARION) SS

Before me the undersigned, a Notary Public, in and for said State and County, personally appeared Henry F. Nordalek and Adale H. Nordalek, husband and wife, and acknowledged the execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial Seal, this 23rd day of May, 1955.  
B. E. Richardson  
Notary Public  
My Commission expires April 6, 1959

DULY ENTERED FOR TAXATION  
JUN 7 1955



APPROVED BY:  
TOWN PLAN COMMISSION  
D. J. Smith, Chairman  
Southport BOARD OF TOWN TRUSTEES  
Arthur W. Smith, Pres.

STATE OF INDIANA  
COUNTY OF MARION)

Before me the undersigned, a Notary Public, in and for said State and County, personally appeared Horace H. Page and Gertrude J. Page, husband and wife, Ivan L. Warble and Katherine E. Warble, husband and wife, Paul A. Ziegler and Emma E. Ziegler, husband and wife and Harry M. Miller and Dorothy M. Miller, husband and wife, and acknowledged the execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial Seal, this 22nd day of June, 1955.  
Roy T. Lewis  
Notary Public  
My Commission expires April 19, 1958

ROY T. LEWIS  
COUNTY CLERK

APPROVED THIS 22nd DAY OF JUNE, 1955  
COUNTY PLAN COMMISSION  
COUNTY OF MARION  
Ivan L. Warble, PRESIDENT  
Paul A. Ziegler, SECRETARY



APPROVED THIS 21st DAY OF JUNE, 1955  
D. J. Smith, Chairman  
Arthur W. Smith, Board Chairman

