

CARSON CITY INC., AN INDIANA CORPORATION, BEING THE OWNER OF ALL REAL ESTATE PLATTED AS ARLINGTON ACRES NORTH, PHASE IV, SECTION 2, AN ADDITION TO THE CITY OF INDIANAPOLIS, MADISON COUNTY, INDIANA, DOES HEREBY HEREBY FOREFEAT, FOR PUBLIC USE ALL THE STREETS AND WAYS SHOWN ON SAID PLAN, AND THE EASEMENTS SHOWN ON THE RECORDED PLAN ARE HEREBY RESERVED FOR THE PURPOSE THEREON INDICATED.

SAID OWNER DOES ALSO HEREBY REVOKE THE FOLLOWING CONDITIONS, COVENANTS AND RESTRCTIONS TO GOVERN THE USE AND OCCUPANCY OF THE LOTS IN SAID ADDITION:

- A. NO STRUCTURE SHALL BE ERECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY RESIDENTIAL BUILDING PLAT OTHER THAN A DWELLING NOT TO EXCEED 2 & 1/2 STORIES IN HEIGHT AND MUST INCLUDE A PRIVATE ATTACHED GARAGE FOR NOT LESS THAN ONE CAR NOR MORE THAN THREE CARS. NO TURRETS SHALL BE BUILT ON ANY LOTS.
 - B. NO BUILDING SHALL BE LOCATED NEARER TO THE FRONT LOT LINE, NOR NEARER TO A SIDE STREET LINE, THAN THE BUILDING SETBACK LINES SHOWN ON THE RECORDED PLAN, AND IN ANY EVENT, NO BUILDING SHALL BE LOCATED ON ANY BUILDING LOT NEARER THAN TWENTY-FIVE (25) FEET TO THE FRONT LOT LINE OR SIDE STREET LINE, NOR NEARER THAN FIVE (5) FEET TO ANY SIDE PROPERTY LINE.
 - C. NO FENCE, WALL, HEDGE, OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATION BETWEEN TWO (2) AND SIX (6) FEET ABOVE THE ROADWAYS 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 THEM AT POINTS TWENTY-FIVE (25) FEET FROM THE INTERSECTION OF THE STREET LINES, OR IN CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET PROPERTY LINES EXTENDED.
THE SAME SIGN LINE LIMITATIONS SHALL APPLY ON ANY LOT WITHIN TEN (10) FEET FROM THE INTERSECTION OF A STREET PROPERTY LINE, WITH THE EDGE OF A DRIVEWAY OR ALLEY DRIVEWAY.
NO TREE SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCES OF SUCH INTERSECTION UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SUCH SIGHT LINES. NO FENCE OR SHRUB PLANTING (TREES EXCEPTED) OF OVER 36" IN HEIGHT SHALL BE PERMITTED ON ANY LOT FROM FRONT LOT LINE TO BUILDING SETBACK LINE.
 - D. 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 DISTURBANCE TO THE NEIGHBORHOOD.
 - E. NO TRAILER, TENT, SHACK, OR OTHER OUTBUILDING ERECTED ON ANY LOT IN THE ADDITION SHALL AT ANY TIME BE USED AS A RESIDENCE, TEMPORARILY OR PERMANENTLY, UNLESS ANY STRUCTURE OF A TEMPORARY CHARACTER BE USED AS A RESIDENCE. NO BOAT, OR TRAVEL TRAILER, OR MOTOR HOME OF ANY DESCRIPTION SHALL BE STORED ON ANY LOT EXPOSED TO VIEW UPON THE STREET OR NEIGHBORING LOT.
 - F. ALL LOTS IN THIS SUBDIVISION SHALL BE DESIGNATED AS RESIDENTIAL LOTS. ONLY ONE SINGLE FAMILY DWELLING NOT EXCEEDING TWO AND ONE HALF (2 1/2) STORIES OR TWENTY-FIVE (25) FEET IN HEIGHT WITH THE USUAL ACCESSORY BUILDINGS SHALL BE ERECTED OR MAINTAINED ON ANY LOT IN THIS SUBDIVISION.
 - G. NO RESIDENCE SHALL BE ERECTED ON A LOT WITHIN THE SUBJECT REAL ESTATE SHOULD SAME BE PLATTED WHICH HAS A VAULT FLOOR AREA EXCLUSIVE OF GARAGE LENS THAN 900 SQUARE FEET IF A ONE STORY STRUCTURE, OR IF A MULTI-STORY STRUCTURE THEN A MINIMUM OF 1320 SQUARE FEET FOR ALL FLOORS.
 - H. ALL DRIVEWAYS BUILT ON ANY LOT IN THIS ADDITION SHALL BE PAVED. A FOUR (4) FOOT CONCRETE PUBLIC SIDEWALK PARALLEL TO THE STREET(S) SHALL BE INSTALLED IN REAR CONJUNCTION WITH THE INSTALLATION OF DRIVEWAY(S). PROVIDED, HOWEVER, IN ANY EVENT, OTHER SHALL INSTALL SAID SIDEWALK(S) NO LATER THAN ONE YEAR FROM DATE THAT PERMITS ARE DEEDED TO THEM.
 - I. NO BUILDING, WALL, FENCE, OR OTHER STRUCTURE SHALL BE ERECTED, OR PLACED ON ANY BUILDING PLOT IN THIS ADDITION, UNLESS PLANS AND SPECIFICATIONS OF SUCH BUILDING, WALL, FENCE, OR OTHER STRUCTURE AND THE PLOT PLAN SHOWING THE LOCATION OF THE SAME, HAVE BEEN APPROVED IN WRITING AS TO THE CONFORMITY AND JANUARY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES IN SAID ADDITION, AND AS TO LOCATION OF SUCH STRUCTURE OR STRUCTURES WITH RESPECT TO TOPOGRAPHY AND FINISHED GROUND ELEVATION, BY A COMMITTEE TO BE APPOINTED BY THE OWNER. SUCH COMMITTEE MAY BE ABOLISHED AT ANY TIME AT THE OWNER'S DISCRETION, PROVIDED A WRITTEN DOCUMENT IS RECORDED ACCORDINGLY.
- THE FOREGOING COVENANTS, RESTRCTIONS AND CONDITIONS SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON ALL PARTIES OWNING, OR CLAIMING ANY INTEREST IN ANY LOT, OR PART THEREOF, IN SAID ADDITION, AND ALL PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 2001, AT WHICH TIME THEY SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS UNLESS AT DATE OF THE MATURITY OF THE THEN OWNERS OF THE LOTS OF THE ADDITION, IT IS AGREED TO CHANGE OR ABOLISH SAID COVENANTS IN WHOLE, OR IN PART.
- IF ANY PARTIES OWNING OR CLAIMING AN INTEREST IN ANY LOT, OR PART THEREOF, IN THE ADDITION, OR ANY PERSON OR PERSONS HOLDING UNDER THEM, OR OCCUPYING ANY LOT, OR PART THEREOF, IN SAID ADDITION, SHALL BE LAWFUL FOR ANY PERSON, OR PERSONS, OWNING ANY REAL ESTATE IN SAID ADDITION TO PROSECUTE AND ENFORCE THE SAME, OR TO ENFORCE ANY RIGHTS OF PERSON, OR PERSONS, VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANTS, EITHER TO PREVENT HIM, OR THEM, SO DOING, OR TO RECOVER DAMAGES THEREFOR.
- INVALIDATION OF ANY ONE OF THESE COVENANTS BY VIOLATION, OR BREACH OF (THEY), SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.
- THE RIGHT OF ENFORCEMENT OF THESE COVENANTS IS HEREBY GRANTED TO THE DEPARTMENT OF METROPOLITAN DEVELOPMENT OF MADISON COUNTY, ITS SUCCESSORS OR ASSISTANTS.
- IT IS THE POLICY OF THE DEPARTMENT OF METROPOLITAN DEVELOPMENT OF MADISON COUNTY, ITS SUCCESSORS OR ASSISTANTS, TO ENFORCE THESE COVENANTS AND TO TAKE SUCH ACTION AS MAY BE NECESSARY TO ENFORCE THE SAME.
- THESE COVENANTS CONSTITUTE ONE OF THE CONDITIONS OF THE SALE OF THE LOTS IN THIS ADDITION, AND THE SALE OF THE LOTS IN THIS ADDITION IS VOID WITHOUT THESE COVENANTS.