

STATE ROAD #32

Verify that this plat and description is true and correct, representing Carey Sub-division, a part of Section 36, Township 19 North, Range 4 East, described as follows:

Iron stake 517.0 feet South and 1616.0 feet East of the Northwest corner of the Southwest Quarter of Section 36, Township 19 North, Range 4 East; thence East parallel with the North line of said Southwest Quarter stake; thence South 878.2 feet to the intersection with the center line of State Road #32 (or the town gravel road); thence North 874.3 feet to the center of said road 350.0 feet to a point of beginning; thence North 874.3 feet to the place of beginning. Containing 2.45 A. or more of Public Service Company and Indiana State Highway Commission. Size of lots are shown on this plat in and decimal parts thereof.

Signature this 17 day of Oct 1956.

Ray D. Hornsey
 Ray D. Hornsey - Reg. Engineer

Witnessed, Ross Carey and Norris Carey, owners of the real estate shown and described herein, do hereby lay off, platted and sub-divided said real estate in accordance to the adjoining plat. All easements and public and be constructed as per specifications of Hamilton County Planning Commission, by the vision shall be known and designated as Carey's Sub-division. All streets and right of ways shown dedicated are hereby dedicated to the public. Owners of lots in this sub-division shall take their titles subject to the use of public utilities. Owners of lots on the 7 1/2 foot easements are to be erected between the building lines as shown and the streets or on the 7 1/2 foot easements.

I hereby certify that this plat and description is true and correct, representing Carey Sub-division, a part of the Southwest Quarter of Section 36, Township 19 North, Range 4 East, described as follows:

Begin at an iron stake 517.0 feet South and 1646.0 feet East of the Northwest corner of the Southwest Quarter of Section 36, Township 19 North, Range 4 East; thence East parallel with the North line of said Southwest Quarter 350.0 feet to an iron stake; thence South 878.2 feet to the intersection with the center line of State Road #32 (or the old Noblesville & Eagletown gravel road); thence Northwestwardly on and along the center of said road 350.0 feet to a point 874.3 feet South of the place of beginning; thence North 874.3 feet to the place of beginning. Containing 2.45 A. or less. Subject to easements of Public Service Company and Indiana State Highway Commission.

This Sub-division contains 16 lots numbered from 1 to 16 both inclusive. Size of lots are shown on this plat in figures denoting feet and decimal parts thereof.

Witness my signature this 17 day of Oct 1956.

Roy D. Harney
Roy D. Harney - Reg. Engineer

We, the undersigned, Ross Carey and Norris Carey, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted and sub-divided said real estate in accordance to the adjoining plat. All streets to be dedicated to public and be constructed as per specifications of Hamilton County Planning Commission, by the owner.

This sub-division shall be known and designated as Carey's Sub-division. All streets and right of ways shown and not heretofore dedicated are hereby dedicated to the public.

No Structures are to be erected between the building lines as shown and the streets or on the 7 1/2 foot easement strips reserved for the use of public utilities. Owners of lots in this sub-division shall take their titles subject to the lawful rights of the public utilities.

All lots in this sub-division shall be used for residential purposes only. No house having a livable area of less than 768 square feet exclusive of porches and garages shall be erected or maintained on any lot in this sub-division.

Septic tanks for sanitary sewage disposal and deep wells for water supply may be used providing the location and construction of said tanks and wells meet with the approval of the State Board of Health.

No trailer, tent, shack, garage, barn or any other temporary structure shall be erected or maintained on any lot in this sub-division for residential purposes.

No noxious or offensive, practise, trade or activity shall be carried on upon any lot herein, nor shall any thing be done which is or shall become an annoyance or nuisance to the neighborhood at large.

No old buildings to be moved and placed on any of these lots herein or used materials stacked on the premises for future use.

The foregoing covenants, (or restrictions) are to run with the land and all persons claiming title to them at such time as any State or County Zoning law shall make them invalid or by the majority vote of the owners of these building sites in this plat, invalidation of any one of the foregoing covenants or restrictions, by judgement or court order shall in no way affect any of the other covenants or restrictions, which shall remain in full force and effect.

The right to enforce these provisions by injunction, together with the right to cause removal, by due process of the law, of any structure or part thereof erected or maintained in violation hereof, is hereby dedicated to the public and reserved to the several owners of the several lots in this sub-division and to their heirs and assigns.

Witness our hands and seals this 17 day of Oct 1956.

Ross Carey
Norris E. Carey

RECORDED FOR COPIES

13776, 13777, 13778, 13779, 13780, 13781, 13782, 13783, 13784, 13785, 13786, 13787, 13788, 13789, 13790, 13791, 13792, 13793, 13794, 13795, 13796, 13797, 13798, 13799, 13800, 13801, 13802, 13803, 13804, 13805, 13806, 13807, 13808, 13809, 13810, 13811, 13812, 13813, 13814, 13815, 13816, 13817, 13818, 13819, 13820, 13821, 13822, 13823, 13824, 13825, 13826, 13827, 13828, 13829, 13830, 13831, 13832, 13833, 13834, 13835, 13836, 13837, 13838, 13839, 13840, 13841, 13842, 13843, 13844, 13845, 13846, 13847, 13848, 13849, 13850, 13851, 13852, 13853, 13854, 13855, 13856, 13857, 13858, 13859, 13860, 13861, 13862, 13863, 13864, 13865, 13866, 13867, 13868, 13869, 13870, 13871, 13872, 13873, 13874, 13875, 13876, 13877, 13878, 13879, 13880, 13881, 13882, 13883, 13884, 13885, 13886, 13887, 13888, 13889, 13890, 13891, 13892, 13893, 13894, 13895, 13896, 13897, 13898, 13899, 13900, 13901, 13902, 13903, 13904, 13905, 13906, 13907, 13908, 13909, 13910, 13911, 13912, 13913, 13914, 13915, 13916, 13917, 13918, 13919, 13920, 13921, 13922, 13923, 13924, 13925, 13926, 13927, 13928, 13929, 13930, 13931, 13932, 13933, 13934, 13935, 13936, 13937, 13938, 13939, 13940, 13941, 13942, 13943, 13944, 13945, 13946, 13947, 13948, 13949, 13950, 13951, 13952, 13953, 13954, 13955, 13956, 13957, 13958, 13959, 13960, 13961, 13962, 13963, 13964, 13965, 13966, 13967, 13968, 13969, 13970, 13971, 13972, 13973, 13974, 13975, 13976, 13977, 13978, 13979, 13980, 13981, 13982, 13983, 13984, 13985, 13986, 13987, 13988, 13989, 13990, 13991, 13992, 13993, 13994, 13995, 13996, 13997, 13998, 13999, 14000

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RECORDED FOR COPIES
13776, 13777, 13778, 13779, 13780, 13781, 13782, 13783, 13784, 13785, 13786, 13787, 13788, 13789, 13790, 13791, 13792, 13793, 13794, 13795, 13796, 13797, 13798, 13799, 13800, 13801, 13802, 13803, 13804, 13805, 13806, 13807, 13808, 13809, 13810, 13811, 13812, 13813, 13814, 13815, 13816, 13817, 13818, 13819, 13820, 13821, 13822, 13823, 13824, 13825, 13826, 13827, 13828, 13829, 13830, 13831, 13832, 13833, 13834, 13835, 13836, 13837, 13838, 13839, 13840, 13841, 13842, 13843, 13844, 13845, 13846, 13847, 13848, 13849, 13850, 13851, 13852, 13853, 13854, 13855, 13856, 13857, 13858, 13859, 13860, 13861, 13862, 13863, 13864, 13865, 13866, 13867, 13868, 13869, 13870, 13871, 13872, 13873, 13874, 13875, 13876, 13877, 13878, 13879, 13880, 13881, 13882, 13883, 13884, 13885, 13886, 13887, 13888, 13889, 13890, 13891, 13892, 13893, 13894, 13895, 13896, 13897, 13898, 13899, 13900, 13901, 13902, 13903, 13904, 13905, 13906, 13907, 13908, 13909, 13910, 13911, 13912, 13913, 13914, 13915, 13916, 13917, 13918, 13919, 13920, 13921, 13922, 13923, 13924, 13925, 13926, 13927, 13928, 13929, 13930, 13931, 13932, 13933, 13934, 13935, 13936, 13937, 13938, 13939, 13940, 13941, 13942, 13943, 13944, 13945, 13946, 13947, 13948, 13949, 13950, 13951, 13952, 13953, 13954, 13955, 13956, 13957, 13958, 13959, 13960, 13961, 13962, 13963, 13964, 13965, 13966, 13967, 13968, 13969, 13970, 13971, 13972, 13973, 13974, 13975, 13976, 13977, 13978, 13979, 13980, 13981, 13982, 13983, 13984, 13985, 13986, 13987, 13988, 13989, 13990, 13991, 13992, 13993, 13994, 13995, 13996, 13997, 13998, 13999, 14000

1703

WAIVER OF RESTRICTIONS

Ross Carey and Norris Carey, husband and wife; Elwood K. Borders and Betty L. Borders, husband and wife; William F. Emmert and Bonnie L. Emmert, husband and wife; William Camp and Betty Jane Camp, husband and wife; Carl V. Abbott, unmarried; and Meredith H. Thornton and Frances Thornton, husband and wife, representing themselves to be the owners of all the lots in Carey's Subdivision of a part of the southwest quarter of Section 36, Township 19 North, Range 4 East, in Hamilton County, Indiana, do hereby waive the following restrictions, recorded in said plat:

"All lots in this subdivision shall be used for residential purposes only", and

"No structures are to be erected between the building lines as shown and the streets. . ."

with respect to Lots Numbered 15 and 16 in said Subdivision, and consent that Martin Cammack purchase and use said lots for the purpose of building and operating a sporting goods store.

IN WITNESS WHEREOF, we have set our hands and seals this, the ___ day of September, 1957.

Ross Carey

Norris Carey

Elwood K. Borders

Betty L. Borders

William F. Emmert

Bonnie L. Emmert

Martin B. Cammack

Lorean Cammack

Robert M. Crabtree

Valerie A. Crabtree

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Carl V. Abbott
Carl V. Abbott

Meredith H. Thornton
Meredith H. Thornton

Frances Thornton
Frances Thornton

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, the undersigned, a Notary Public, in and for said County and State, this 1st day of September, 1957, personally appeared the within named Ross Carey and Norris Carey, husband and wife, and acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal.

W. David Cramer
Notary Public

My commission expires 11 - 23 - 58.

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, the undersigned, a Notary Public, in and for said County and State, this 22 day of September, 1957, personally appeared the within named Elwood R. Borders and Betty L. Borders, husband and wife, and acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal.

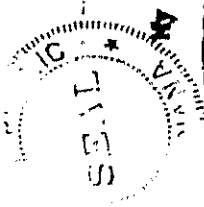
W. David Cramer
Notary Public

My commission expires January 11 - 1957.

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, the undersigned, a Notary Public in and for said County and State, this 27 day of September, 1957, personally appeared the within named William F. Emmert and Bonnie L. Emmert, husband and wife, and acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal.



Mack Bentley
Notary Public

My commission expires May 28 - 1958.

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, the undersigned, a Notary Public, in and for said County and State, this 1st day of September, 1957, personally appeared the within named Martin B. Cammack and Lorean Cammack, husband and wife, and acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal.



L. B. Cammack
Notary Public

My commission expires 11-22-57.

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, the undersigned, a Notary Public in and for said County and State, this 6th day of September, 1957, personally appeared the within named Carl V. Abbott, unmarried, and acknowledged the execution of the foregoing instrument to be his voluntary act and deed.

WITNESS my hand and notarial seal.

SEAL

[Signature]
Notary Public

My commission expires 11-23-58.

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, the undersigned, a Notary Public in and for said County and State, this 4th day of September, 1957, personally appeared the within named Meredith H. Thornton and Frances Thornton, husband and wife, and acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal.

SEAL

[Signature]
Notary Public

My commission expires 11-22-58.

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, the undersigned, a Notary Public, in and for said County and State, this 12th day of September, 1957, personally appeared the within named Robert M. Crabtree and Valeria A. Crabtree, husband and wife, and acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal.



Paula Crumbo
Notary Public

My commission expires _____

Elizabeth Claver, Recorder Hamilton County.
Sept 18 1957

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WAIVER OF RESTRICTIONS

Ross Carey and Norris Carey, husband and wife; Elwood E. Borders and Betty L. Borders, husband and wife; William F. Emmert and Bonnie L. Emmert, husband and wife; William Camp and Betty Jane Camp, husband and wife; Carl L. Abbott, unmarried; and Veronica H. Thornton, ~~unmarried~~, ^{Thomas Thornton, his wife}, representing themselves to be the owners of all the lots in Carey's Subdivision of a part of the southwest quarter of Section 36, Township 19 North, Range 4 East, in Hamilton County, Indiana, do hereby waive the following restrictions, recorded in said plat:

"All lots in this subdivision shall be used for residential purposes only", and

"No structures are to be erected between the building lines as shown and the streets. . ."

with respect to Lots numbered 1 and 2 in said Subdivision, and consent that Martin Cammack purchase and use said lots for the purpose of building and operating a frozen custard business.

IN WITNESS WHEREOF, we have set our hands and seals this, the 10 day of May, 1957.

Ross Carey
Ross Carey

Norris Carey
Norris Carey

Elwood E. Borders
Elwood E. Borders

Betty L. Borders
Betty L. Borders

William F. Emmert
William F. Emmert

Bonnie L. Emmert
Bonnie L. Emmert

Carl L. Abbott
Carl L. Abbott

Veronica H. Thornton
Veronica H. Thornton

Thomas Thornton
Thomas Thornton

Betty Jane Camp
Betty Jane Camp

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Carol V. Abbott
Notary Public

Ernest H. Stanton
Notary Public
Ernest Stanton

STATE OF ILLINOIS)
HAMILTON COUNTY) SS:

Before me, the undersigned, a Notary Public, in and for said County and State, this 16 day of MAY, 1957, personally appeared the within named JOSE CAROL and ERNEST STANTON, husband and wife, and acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESSED my hand and notarial seal. Ernest Stanton
Notary Public
My commission expires 11-23-58

STATE OF ILLINOIS)
HAMILTON COUNTY) SS:

Before me, the undersigned, a Notary Public, in and for said County and State, this 16 day of MAY, 1957, personally appeared the within named ELWOOD M. BORDERS and BETTY L. BORDERS, husband and wife, and acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESSED my hand and notarial seal. Ernest Stanton
Notary Public
My commission expires 11-23-58

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the within named Carl W. Abbott, unmarried, and acknowledges the execution of the foregoing instrument to be his voluntary act and deed.

WITNESS my hand and notarial seal.

S. Lloyd Leman
Notary Public

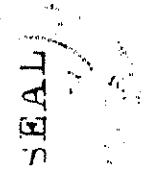
My commission expires 11-23-58

STATE OF INDIANA)
) SS:
HAMILTON COUNTY)

before me, the undersigned, a Notary Public, in and for said County and State, this 11 day of May, 1957, personally appeared the within named HERBERT W. THOMAS ^{and Frances Leman, his wife} and acknowledged the execution of the foregoing instrument to be his voluntary act and deed.

WITNESS my hand and notarial seal.

S. Lloyd Leman
Notary Public



My commission expires 11-23-58

The above is a true copy recorded Mar 21 1957
Elizabeth Clover, Recorder Hamilton County.