

Deed
BK 351
P 176

A SUBDIVISION OF SECTION I

COLLETT MEADOW - Section I Restrictions and Protective Covenants

We, the undersigned owners of the real estate shown and described herein, do hereby lay off, plat and subdivide, said real estate in accordance with the within plat.

1.) This subdivision shall be known and designated as Collett Meadow - Section I. All streets, roadways and drives as shown on said plat are hereby dedicated to the public and are for the use of the owners of the lots in said subdivision.

2.) Building and set back lines are hereby established as shown on said plat and the front building lines are to be constructed in such a manner that no structure shall be erected or maintained on said building line or between the street and the front building line.

3.) That the utility easements shown on said plat are reserved for the public utility companies, not including transportation companies, for the installation of lines, ducts, gas or water mains or laterals and sewers. Drainage easements, as shown on said plat are reserved as drainage ways/swales for water runoff, and said ways/swales are to be maintained by the adjoining owner such that the water runoff from adjacent lands is not obstructed or hindered in its flow into or through said drainage ways/swales. No permanent structure shall be maintained upon the said utility and/or drainage strips. All owners shall take their titles subject to the rights of the public utilities and subject to the rights of the owners of the other lots in this subdivision.

4.) Lots #1 thru #28 inclusive and lots #30 thru #45 inclusive shall be used for residential purposes only. Lot #29 may be used for residential purposes or may be used as a temporary model home.

5.) No mercantile or business establishment of any kind or character shall be erected, altered, permitted or maintained on any of said lots, except Lot #29 as stated in item #4.

6.) No more than one dwelling shall be placed upon any one lot. There shall be no subdivision of any lot or lots, nor sale thereof in parcels, except that a portion or portions of any unimproved lot may be sold to any adjoining owner, as long as no new lot is thereby created. A garage, if any, shall be attached to the dwelling; detached garages or other permanent detached structures on permanent foundations will not be allowed. Any storage barn, not on a permanent foundation, must be wood or wood composition siding or covered with siding matching the existing home.

DESCRIPTION OF COLLETT MEADOW, SECTION I

A part of the East Half of the Northeast Quarter of Sec Township 14 North, Range 2 East, Madison Township, Morgan Indiana, described as follows:

Commencing at the stone which marks the northeast corner

DIVISION OF A PART OF THE EAST HA
ON 32, TOWNSHIP 14 NORTH, RANGE

Page 2

7.) The exterior of all structures shall be of brick or stone veneer, or a combination of brick or stone, or approved siding alone or in combination with brick or stone. The roof shall be approved regulation shingles. No prefabricated or pre-cut structures shall be erected, altered or permitted to remain thereon.

8.) All waste from bathrooms, sinks and laundry tubs shall be disposed of through sewer lines and shall comply with the regulations of the Indiana State Board of Health and all other proper state or municipal authorities.

9.) No dumping of refuse, garbage or tin cans will be permitted.

10.) No trailer or other device shall be altered, placed or permitted to remain thereon and no trailer, portable device, garage or outbuildings shall be used as a residence thereon. Chain link fences and privacy fences are permitted in the rear only.

11.) No livestock or poultry shall be quartered or permitted to remain thereon, except for household pets, which shall be confined to the owner's premises.

12.) Construction of any dwelling shall be completed within one (1) year from the date of commencement of construction.

13.) All plans for the dwellings must be approved by the developer as long as the developer retains interest in said subdivision.

14.) All drives and parking areas are to be asphalt or concrete. All residents shall provide sufficient off-street parking to accommodate all their vehicles. No vehicle that is not in operating condition will be permitted to remain on any lot in the subdivision for a period or more than 30 days, unless kept within the garage.

15.) The dwelling must be connected to the public water utility; however, a well may be used for watering lawns or other non-potable water uses. All connections to a public utility or to a private well must comply with the regulations of the Indiana State Board of Health and all other proper state or municipal authorities.

16.) The ground floor area of the structure, exclusive of open porches, decks and garages shall not be less than 1,000 square feet for a one-story dwelling no less than 720 square feet for a two-story dwelling.

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HALF OF THE NORTHEAST QUARTER
SECTION 2 EAST, MORGAN COUNTY, INDIANA

17.) The "Protective Covenants" are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 2016, at which time said covenants shall be automatically extended for successive periods of 10 years unless changed by a vote of the majority of the then owners of the building sites covered by these covenants in whole or part. Invalidation of any one the covenants, by judgement or court order, will in no way effect the other covenants which shall remain in full force and effect.

18.) All properties in this subdivision shall be offered for sale without regard to religion, color, sex national origin or ancestry in accordance with State and Federal laws.

19.) The right to enforce these provisions and conditions shall be by injunction together with a right to cause the removal by due process of law and structure erected or maintained in violation of any of the above conditions and provisions is hereby reserved to the owner and is dedicated to the several owners of the lots in said subdivision, together with the right to collect reasonable attorney fees and costs of any such action.

DEVELOPERS CERTIFICATION AND DEDICATION

The declaratory statement of dedication, limitations, restrictions and covenants, to run with the land, shown hereon, is hereby so declared and executed by the undersigned, SWINNEY BROTHERS EXCAVATING, INC., owners of said property, this 19 day of December, 1991.

Charles V. Swinney
Charles V. Swinney, President

Edith M. Swinney
Edith M. Swinney, Secretary

State of Indiana)
)
County of Morgan)

Before me, the undersigned, a Notary Public, personally appeared Charles V. Swinney and Edith M. Swinney, officers of Swinney Brothers Excavating, Inc., and acknowledged the execution of this instrument to be their voluntary act and deed.

Witness my Hand and Seal this 19th day of December, 1991.



Monique L. Robbins
Signed Notary Public

Monique L. Robbins
Printed or Typed

Resident of Morgan County.

My Commission Expires: 2/22/93

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DESCRIPTION OF COLLETT MEADOW, SECTION I

A part of the East Half of the Northeast Quarter of Section 32,
Township 14 North, Range 2 East, Madison Township, Morgan County,
Indiana, described as follows:

Commencing at the stone which marks the northeast corner of the
above captioned East Half; thence South 88 degrees 36 minutes 14
seconds West (assumed bearing), with the north line of said East
Half and in the county road, 206.78 feet (formerly 206.5) to a
found iron pipe and the POINT OF BEGINNING of the subdivision
herein described; thence, continuing with the north line of said
East Half and in the county road, South 88 degrees 36 minutes 14
seconds West 626.58 feet to a found iron pipe which marks the
northeast corner of the 14.137 acre parcel described in Deed Record
302 page 596; thence South 01 degrees 11 minutes 39 seconds East,
with the east line of said 14.137 acre parcel, 1187.30 feet
(formerly 1187.15) to an iron pin; thence North 88 degrees 33
minutes 30 seconds East 658.50 feet to an iron pin which marks the
southwest corner of the 14.40 acre parcel described in Deed Record
291 page 114; thence North 02 degrees 44 minutes 05 seconds West,
with the west line of said 14.40 acre parcel, 1187.09 feet
(formerly 1187.00) to the Point of Beginning and containing 17.510
acres, more or less.

CERTIFICATION

I, Ross O. Holloway, an Indiana Registered Land Surveyor, hereby
certify that this plat represents a subdivision of lands to be
known as COLLETT MEADOW, SECTION I


Ross O. Holloway
Indiana Registered
Surveyor No. S0530
Dated: August 22, 1991



JARTER INDIANA.

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