

# HILL VALLEY ESTATES

## SECTION 23, PART THREE

I, the undersigned, hereby certify the within plat to be true and correct, representing a subdivision of part the Southwest Quarter of Section 23, Township 14 North, Range 2 East, Marion County, Indiana, described as follows:

Commencing at the southeastern corner of the Southwest Quarter of said Section 23; thence South 88° 20' 48" West along the northern line of the Southwest Quarter of said Section 23, 48.95 feet; thence North 0° 26' 30" East, 574.42 feet to the point of beginning of this description; thence South 97° 11' 00" West, 127.45 feet; thence North 24° 13' 15" West, 536.08 feet to the southern line of Hill Valley Estate, 77th Section; thence North 66° 18' 20" East along the southern line of Hill Valley Estate, 77th Section, 460.25 feet; thence South 0° 25' 30" East, 120.03 feet; thence South 88° 13' 30" West, 1.00 feet; thence South 88° 25' 30" East, 50.02 feet; thence North 88° 16' 30" East, 1.00 feet; thence South 0° 26' 30" East, 362.75 feet to the point of beginning, containing 4.51 acres, more or less.

The above bearings are based on a survey by Mr. Mead of Robert Schorschel Company and on record description. Subject to all legal claims and/or rights of way.

This subdivision consists of 12 lots numbered 29 to 35, with streets as shown hereon. The size of the lots and widths of the streets are shown in figures denoting feet and decimal parts thereof.

WITNESS my signature this 14th day of March, 1974.

*John E. Fisher*  
John E. Fisher, Not. Public, Indiana  
182 Farabee Drive, Lafayette, Indiana 47905  
Telephone 337-447-0166

This instrument prepared by  
John E. Fisher

### RESTRICTIONS:

- A. The streets, if not heretofore dedicated, are hereby dedicated to public use.
- B. There are strips of ground and utility easements shown on this plat which are hereby reserved for public utilities, not including transportation companies, for the installation and maintenance of poles, mains, sewers, drains, ducts, lines and wires. Purchasers of lots in this subdivision shall take their lots subject to the easements hereon shown and subject at all times to the rights of public utility companies for the installation and the easements hereby created, and no permanent structure of any kind and no part thereof, except fences and driveways, shall be built, erected or maintained on said "Utility Easement".
- C. The lots in this subdivision and the use of the lots in this subdivision by present and future owners or occupants shall be subject to the following conditions and restrictions, which shall run with the land:
  - D. Front building lines are hereby established as shown on the plat, between which lines and the property lines of the several streets shall be erected and maintained no permanent or other structures, or parts thereof, except fences or driveways.
  - E. 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 thirty-five (35) feet in height with the usual accessory buildings shall be erected or maintained on any lot in this subdivision.
  - F. No residence shall be erected or maintained on any lot in this addition having a ground floor area of less than 1500 square feet in one story or if multi storied less than 1500 square feet for all floors, with a minimum 5/8" masonry exterior.
  - G. No trailer, tent, shack, basement, garage or temporary structure of any kind shall be used for temporary or permanent residential purposes on any of these lots. No obnoxious or offensive trades shall be carried on upon any lot or lots in this addition, nor shall anything be done thereon which shall become a nuisance to the neighborhood.
  - H. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the street 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 points 25 feet from the intersection of said street lines, or in the case of a rounded property corner, from the intersection of said street lines extended. The same sight line limitation shall apply to all lots within 10 feet from the intersection of a street line with the edge of a driveway pavement or alley line. No tree shall be permitted to remain within such distance of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.
  - I. No building shall be erected, placed or altered on any building plot in this subdivision until the building plans, specifications and plot plan showing the location of such building have been approved by the Board of the community and harmony of external design with existing structures in this subdivision, and of the design of the building with respect to the topography and finished ground elevation by John F. Babb, or his representative or representatives designated by him. If said committee shall fail to act upon any plans submitted for its approval within 60 days, then the owner may proceed with the building plans submitted, provided such plans are not contrary to these covenants. Neither the members of such committee nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant.
  - J. The right to enforce each and all of the limitations, conditions and restrictions set forth herein shall be given to the public to cause the removal of any building erected in violation thereof. In addition, or other such remedies shall be hereby reserved to each and every owner of the several lots in this subdivision, the lot grantee and parties, who shall be entitled to such injunctive relief and damages as may be required to show any damages, together with reasonable attorney's fee. The Metropolitan Plan Commission of Marion County shall also have the right of enforcement of all the covenants and restrictions.
  - K. These restrictions constitute covenants running with the land and shall be in effect for a period of years as stated hereon and that at the expiration of such term these restrictions shall be in effect for a period of years as stated hereon and that at the expiration of such term these restrictions shall be in effect for a period of years as stated hereon and that at the expiration of such term these restrictions shall be in effect for a period of years as stated hereon.

This plat was made by the Surveyor General of the Southwest quarter of said Section 22, Township 36 North, Range 10 West, 1st 40 feet; thence North 27° 16' West, 120.00 feet to the northern line of Hill Valley Estate, 700 feet; thence North 68° 10' East, 120.00 feet to the southern line of Hill Valley Estate, 700 feet; thence South 22° 30' East, 120.00 feet; thence North 68° 10' East, 120.00 feet; thence South 22° 30' East, 120.00 feet to the point of beginning, containing 4.51 acres, more or less.

The above bearings are based on a survey by Mr. Mord of Robert Scherzschel Company and on record description. Subject to all local highway and/or rights of way.

This subdivision consists of 12 lots numbered 31 to 36, with streets as shown hereon. The size of the lots and widths of the streets are shown in figures denoting feet and decimal parts thereof.

WITNESS my signature this 19th day of March, 1974.

*John E. Fisher*  
John E. Fisher, Real Estate Surveyor No. 5002  
125 Farabee Drive, Lafayette, Indiana 47904  
Telephone 317-447-9225

This instrument prepared by  
John E. Fisher

RESTRICTIONS:

- A. The streets, if not heretofore dedicated, are hereby dedicated to public use.
- B. There are strips of ground marked utility easements shown on this plat which are hereby reserved for public utilities, not including transportation companies, for the installation and maintenance of poles, mains, sewers, drains, ducts, lines and wires. Purchasers of lots in this subdivision shall take title subject to the easements hereby created and subject at all times to the rights of proper authorities to service the utilities and the easements hereby created, and no permanent structure of any kind and no part thereof, except fences and driveways, shall be built, erected or maintained on said "Utility Easement".
- C. The lots in this subdivision and the use of the lots in this subdivision by present and future owners or occupants shall be subject to the following conditions and restrictions, which shall run with the land.
  - D. Front building lines are hereby established as shown on the plat, between which lines and the property lines of the several streets shall be erected and maintained no permanent or other structures, or parts thereof, except fences or driveways.
  - E. 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 thirty-five (35) feet in height with the usual accessory buildings shall be erected or maintained on any lot in this subdivision.
  - F. No residence shall be erected or maintained on any lot in this addition having a ground floor area of less than 1500 square feet or one story or if multi storied less than 1000 square feet for all floors, with a minimum 50% masonry exterior.
  - G. No trailer, tent, shack, basement, garage or temporary structure of any kind shall be used for temporary or permanent residential purposes on any of these lots. No obnoxious or offensive trades shall be carried on upon any lot or lots in this addition, nor shall anything be done thereon which shall become a nuisance to the neighborhood.
  - H. No fence, wall, hedge or shrub planting which obstructs sight lines at elevation between 5 and 6 feet above the street 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 points 25 feet from the intersection of said street lines, or in the case of a rounded property corner, from the intersection of said street lines extended to the same extent. This limitation shall apply to all lots within 10 feet from the intersection of a street line with the edge of a driveway pavement or alley line. No tree shall be permitted to remain within such distance of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.
  - I. No building shall be erected, placed or altered on any building plat in this subdivision until the building plans, specifications and plot plan showing the location of such building have been approved by a committee of the conformity and harmony of external design with existing structures in this subdivision, and such committee if the building with respect to the topography and finished ground elevation by John E. Fisher, or his representative or representatives designated by him. If said committee shall fail to act upon any plans submitted for its approval within 30 days, then the owner may proceed with the building plans submitted, provided such plans are not contrary to these covenants. Neither the members of such committee nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant.
  - J. The right to enforce each and all of the limitations, conditions and restrictions set forth herein, together with the right to cause the removal of any building erected or altered in violation thereof, shall be reserved to the grantor and assigns, who shall be entitled to such injunctive relief without being required to show any damages, together with reasonable attorney's fee. The Metropolitan Plan Commission of Marion County shall also have the right of enforcement of all the foregoing covenants.
  - K. These restrictions constitute covenants running with the land and shall be in effect for a period of 25 years from date, provided that at the expiration of such term these restrictions shall be automatically renewed for periods of 25 years each, unless at least one year prior to the expiration of each 25 year period, the owner or owners of a majority of the lots in this subdivision shall execute and acknowledge a declaration in writing waiving renewals and said written declaration shall be recorded in land records of Marion County, Indiana, in which event the provisions above set forth for renewals shall be null and void.
  - L. Violation 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.

NOTES:

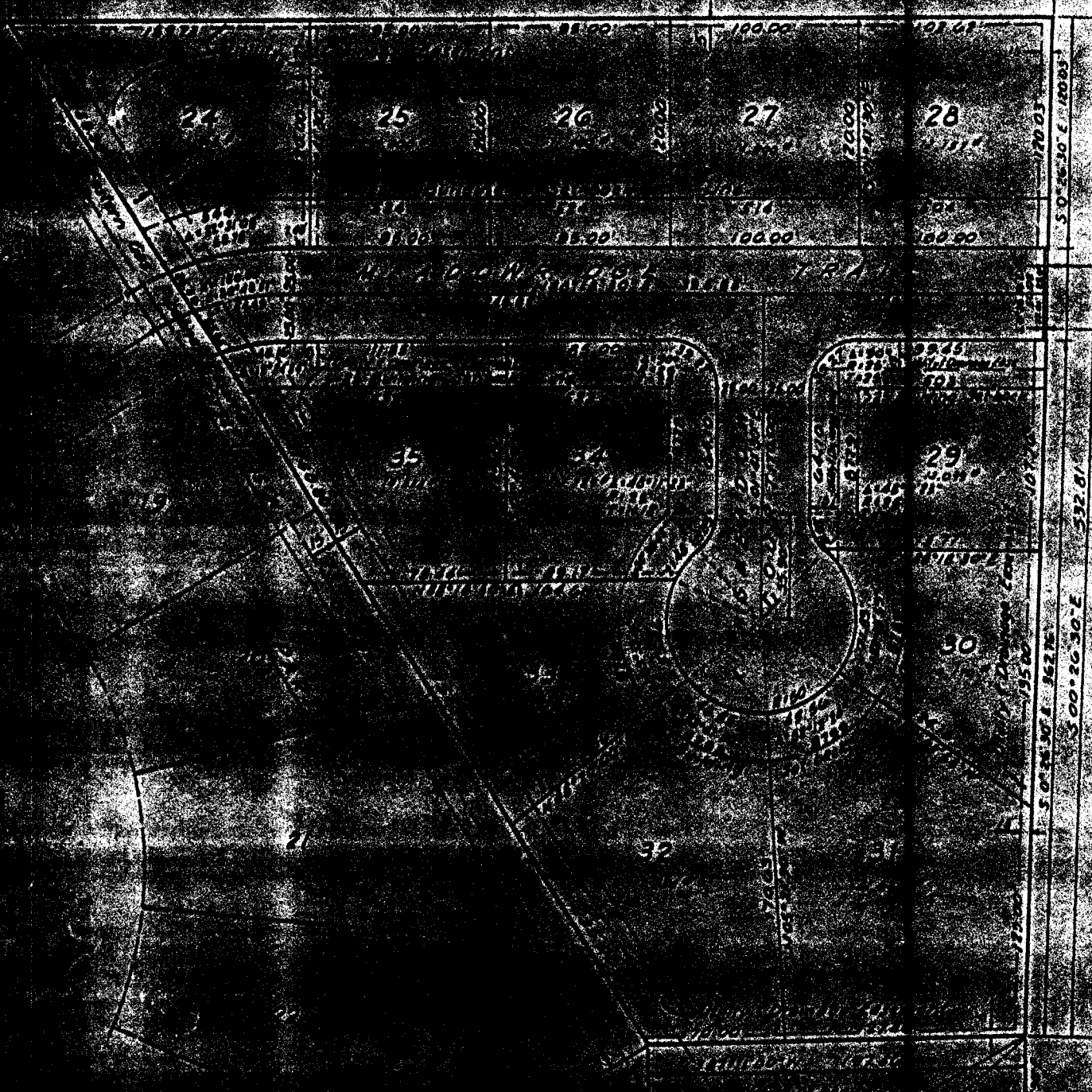
- 1. The original survey was prepared by Robert Scherzschel Company.
- 2. House numbers as indicated appear along minimum building line.

WITNESSED, Carbon City, Indiana, this 19th day of March, 1974. \_\_\_\_\_  
CARBON CITY, INC.

BY: \_\_\_\_\_

John E. Fisher, President

TWENTY SEVEN



S 0° 26' 30" E 100.00'

S 88° 16' 00" W 100.00'

N 88° 16' 00" E 100.00'

S 0° 26' 30" E 100.00'

S 0° 26' 30" E 100.00'

S 0° 26' 30" E 100.00'

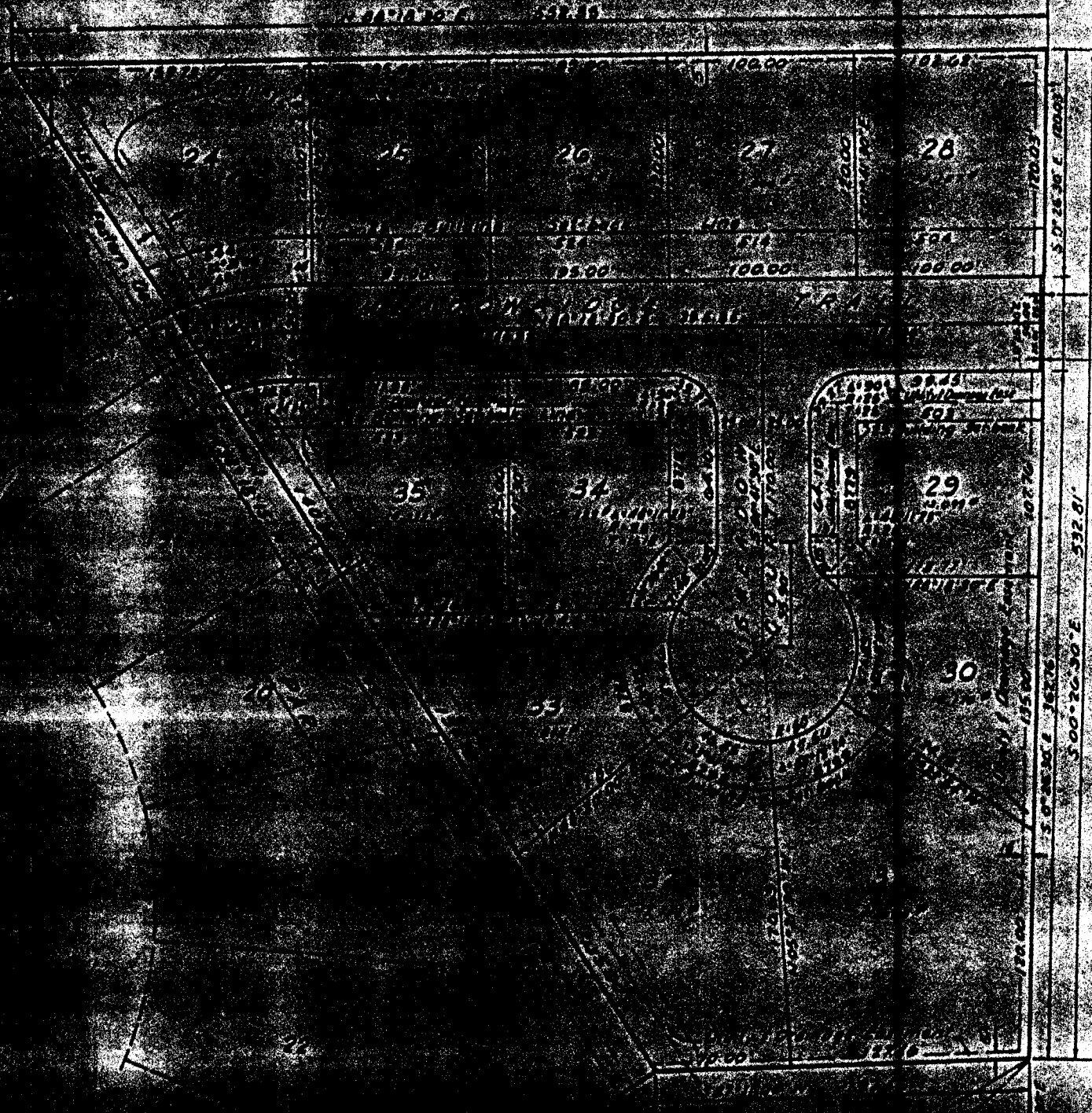
SECTION 27

SCA

SCA

MAR

SECTION 28



S 88° 18'

N 88° 18'

S 00° 20' 30" E

SEC 29 SW 1/4 of SEC 23-T18N-R3E

36

37

38

MA