HUNTERS WOODS

SECTION ONE

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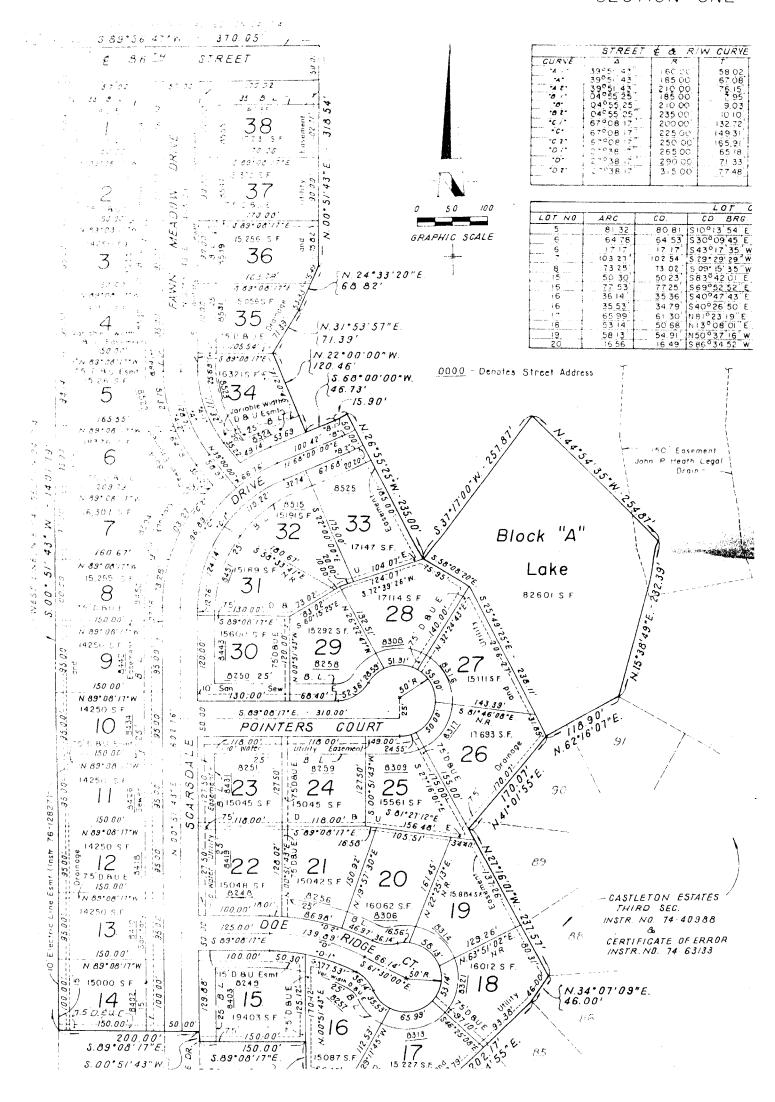
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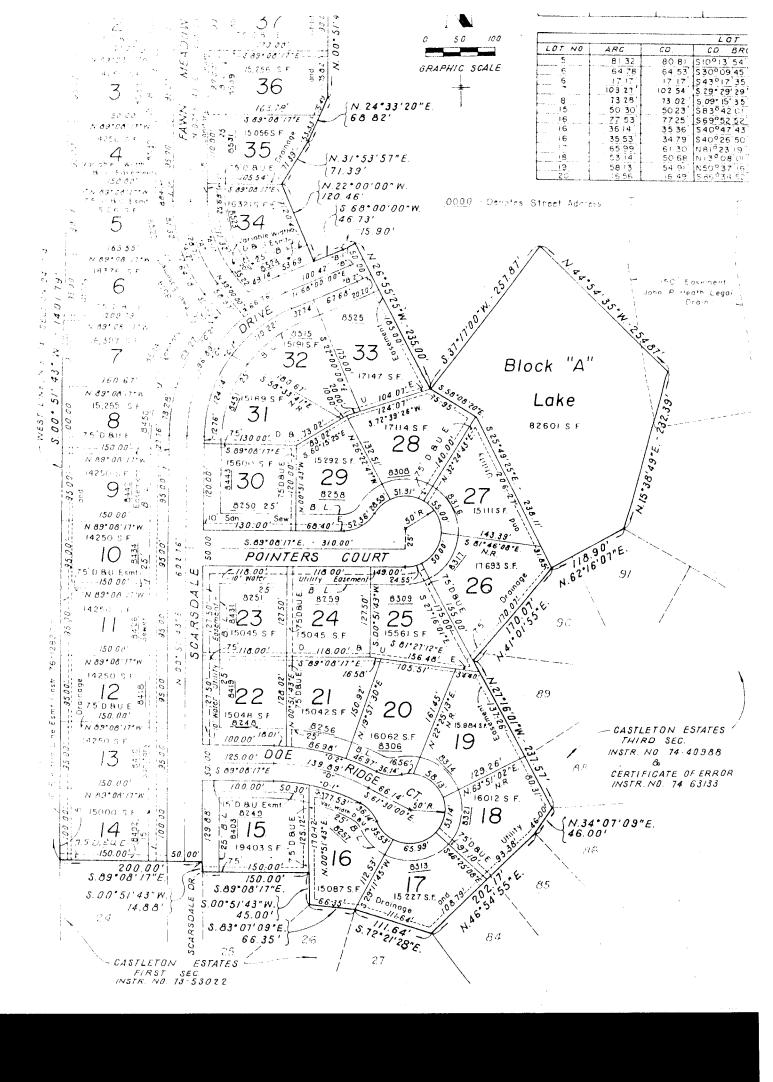
GRAPHIC SCALE

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HUNTERS W

SECTION ONE





RS WOODS FIRST SECTION



The unitersigned. The Jonathan Group, Inc., by Thomas D. Rush. President, thing the system of record of the his secting lestate, do hereby lay off, plat and a saftyre in the historical state of accordance with the within plat. The following restrictions, him is the historical state of the reby Imposed upon and shall gui with the land contained in such plat.

This subdivision shall be known and designated as HUNTLES WOODS—FIRST—COURTER Subdivision in Marion County, Indiana. All streets and all as adversarial indianal of the public.

Front and side building lines are estable hed as shown on the platfacture as relative and the property lines of the street no structure shall be erected or nontrained contains and the grown shruld have a substitute such that planting which obstructs sight lines at elevations to tweer Canada feet as as the second feet as as the places or norm itted to remain on any corner lot within the triangular area for a substitution propert, lines and a line connecting points To feet from the intersection of any substitutions of a rounded property corner, from the intersection of the treet lines and a line connecting points. The intersection of the treet lines are a substitutions shall apply to any lot within the rest from the intersection and substitutions of a driveway, paver enter all a line. No trees all the petrolibers are substitutions of such intersection at less the following lines (see 1) and the container and lines.

There are strips of ground as shown on this plat and carried Dramage and side of the reserved for the use of patche utilities for the installation of water the assertion lines and wire consider at all the esto the proper authorities and to the consideration of the structures are to be erected or constant empty, and the page of lots in this subdivision shall take their titles subject to be right of the page.

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All lots in this subdivision are reserved for residential use, and no bailing, over their containing residence or structure or facility accessory in use thereto, half be erected the reon

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Exclusive screening areas are established as shown on the attached plat. Pl. Conference of wall shall be a antained throughout the entire leight of such area, by the owner or owner of the data in owner spense to form an effective screen for protection of the residential action. Not shiftly a structure except a screen fence or wall or attitues or framers: Critice reflice there exists a such areas. No ventual areas over the area, and be percently secretly the corresponding to installation and a suntenance of screening, utilities or draining factors.

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Interesting wire a subject at all the estate the proper authorities to to the estate No permanent or other structures are to be erected or a lattice upon a 14 to or lots in this subdivision shall take their titles upset to be even as the order of the pure.

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All lots in this subdivision are reserved for residential use, and no building other than a one family residence or structure or facility accessory in use thereto. Each the erect of the reon

Not more than one building shall be erected or use ; for residential purposes of say lot in the subdivision.

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Protective screening areas are established as shown on the attached plat. Printing fences of valle small send antamed throughout the entire length of such areas by the owner or owner of for it their own expense to form an effective screen for protection of the residential send. Such areas at their own expense to form an effective screen for protection of the residential send. Such areas so well or utilities or frameway cultimes in the effective server as the source of its such areas. Neverther access ever the error dual to be a present a server to a make a time talkation and maintenance of screening, utility constraining effects.

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<u>Cross References</u>: 73-71728, 73-53022, 73-62957, 74-40988, 77-62415, 80-6230, 80-6231, 75-60946, 78-45771, 74-15959, 82-56482, and 84-78192

NOTICE OF RESTATED PLAT COVENANTS FOR

<u>EASTLETON ESTATES, CASTLEBROOK AND HUNTERS WOODS</u>

This Notice of Restated Plat Covenants is made as of the 21st day of January, 2003.

WITNESSETH:

WHEREAS, the original developers of the Castleton Estates and Castlebrook subdivisions located in Marion County (hereafter, "Developers") previously recorded a "Declaration of Covenants and Restrictions for Castleton Estates Development and Castlebrook Development" on November 7, 1973 in the Office of the Recorder of Marion County, Indiana, as Instrument No. 73-71728 (hereafter, "Declaration"); and

WHEREAS, Castleton Estates, Inc., an Indiana nonprofit corporation (hereafter, "Association"), was established and incorporated pursuant to the provisions of the Declaration; and

WHEREAS, upon information and belief, the Board of Directors of the Association believes that the real estate encompassed by the Declaration includes land which was later subdivided and referred to as Hunters Woods; and

WHEREAS, the Association maintains, repairs, replaces, administers, operates and owns Common Areas which include recreational facilities (swimming pool and clubhouse) which are for the use and enjoyment of the owners and residents of lots within Castleton Estates, Castlebrook and Hunters Woods; and

WHEREAS, in addition to the Declaration, certain Plats were filed in the Office of the Recorder of Marion County, Indiana for Castleton Estates, Castlebrook, and Hunters Woods; and

WHEREAS, the Plat for Castleton Estates - First Section was filed with the Office of the Recorder of Marion County, Indiana on August 17, 1973, as Instrument No. 73-53022, and established thirty-seven (37) Lots numbered one (1) through thirty-seven (37), inclusive; and

WHEREAS, the Plat for Castleton Estates - Second Section was filed with the Office of the Recorder of Marion County, Indiana on September 28, 1973, as Instrument No. 73-62957, and established twenty-five (25) Lots numbered thirty-eight (38) through sixty-two (62), inclusive; and

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Page 1 of 7 (January 2003)

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WHEREAS, the Plat for Castleton Estates - Third Section was filed with the Office of the Recorder of Marion County, Indiana on July 3, 1974, as Instrument No. 74-40988, and established thirty-four (34) Lots numbered sixty-three (63) through ninety-six (96), inclusive; and

WHEREAS, the Plat for Castleton Estates - Section 7A was filed with the Office of the Recorder of Marion County, Indiana on September 22, 1977, as Instrument No. 77-62415, and established thirty-three (33) Lots numbered two hundred ninety-one (291) through three hundred twenty-three (323), inclusive, plus a parcel of recreation area (Common Area) which is owned by the Association; and

WHEREAS, the Plat for Castleton Estates - Section 7B was filed with the Office of the Recorder of Marion County, Indiana on January 30, 1980, as Instrument No. 80-6230, and established thirty-seven (37) Lots numbered three hundred twenty-four (324) through three hundred sixty (360), inclusive; and

WHEREAS, the Plat for Castleton Estates - Section 7C was filed with the Office of the Recorder of Marion County, Indiana on January 30, 1980, as Instrument No. 80-6231, and established six (6) Lots numbered three hundred sixty-one (361) through three hundred sixty-six (366), inclusive; and

WHEREAS, the Plat for Castleton Estates - Section 8-A was filed with the Office of the Recorder of Marion County, Indiana on or about October 11, 1975, as Instrument No. 75-60946, and established eighteen (18) Lots numbered two hundred forty-five (245), two hundred fifty-six (256) through two hundred sixty-seven (267), and two hundred eighty-six (286) through two hundred ninety (290), inclusive; and

WHEREAS, the Plat for Castleton Estates - Section 8-B was filed with the Office of the Recorder of Marion County, Indiana on July 14, 1978, as Instrument No. 78-45771, and established eighteen (18) Lots numbered two hundred sixty-eight (268) through two hundred eighty-five (285), inclusive; and

WHEREAS, the Plat for Castlebrook was filed with the Office of the Recorder of Marion County, Indiana on March 20, 1974, as Instrument No. 74-15959, and established forty-two (42) Lots numbered one (1) through forty-two (42), inclusive; and

WHEREAS, the Plat for Hunters Woods - Section One was filed with the Office of the Recorder of Marion County, Indiana on October 13, 1982, as Instrument No. 82-56482, and established thirty-eight (38) Lots numbered one (1) through thirty-eight (38), inclusive; and

WHEREAS, the Plat for **Hunters Woods - Second Section** was filed with the Office of the Recorder of Marion County, Indiana on October 5, 1984, as **Instrument No. 84-78192**, and established thirty-nine (39) Lots numbered thirty-nine (39) through seventy-seven (77), inclusive; and

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WHEREAS, all of the Plats referred to above included certain covenants and restrictions (hereafter, the "Plat Covenants"); and

WHEREAS, the Board of Directors of Castleton Estates, Inc. desires to restate the same in a single document for the convenience of the Owners; and

WHEREAS, this Notice of Restated Plat Covenants does nothing more than compile the terms of the original Plat Covenants included in the Plats described above such that there are no changes or amendments to the Plat Covenants or the Plats which are being made hereby; and

WHEREAS, unless otherwise indicated below, the Restated Plat Covenants set forth below are identical, or virtually identical, for the various sections; and

WHEREAS, for the convenience of the reader, there are certain italicized provisions throughout this Notice of Restated Plat Covenants prefaced with, "Compiler's Note".

NOW, THEREFORE, the terms and provisions of the Plat Covenants are as follows:

The undersigned, ______, being the owner of record of the subject real estate, does hereby lay off, plat and subdivide into lots and streets said real estate in accordance with the within plat. The following restrictions, limitations and covenants are hereby imposed upon and shall run with the land contained in such plat. [Compiler's Note: The blank line above was filled in with the name of the developer for the applicable section.]

This subdivision shall be known and designated as "

a subdivision in Marion County, Indiana. All streets and alleys shown and not heretofore dedicated, are hereby dedicated to the public. [Compiler's Note: The blank line above was filled in with the name of the applicable section.]

Front and side building lines are established as shown on this plat between which lines and the property lines of the street no structure shall be erected or maintained. 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 the street lines extended. The same sight line limitations shall apply to any lot 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 intersection unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

There are strips of ground as shown on this plat and marked Drainage and Utility Easement, reserved for the use of public utilities for the installation of water and sewer

Page 3 of 7 (January 2003)

mains, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities.

All lots in this subdivision are reserved for residential use, and no building other than a one-family residence or structure or facility accessory in use thereto shall be erected thereon.

Not more than one building shall be erected or used for residential purposes on any lot in this subdivision.

The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than twelve hundred (1200) square feet in the case of a one-story structure, nor less than eight hundred (800) square feet in the case of a multiple story structure. All garages shall be attached to the residence dwelling. All garages opening toward the street shall have automatic door controls. [Compiler's Note: The last sentence of this paragraph is not included in the Plats for Hunters Woods - First Section and Hunters Woods - Second Section]

No trailer, tent, shack, attached shed, basement, garage, barn, or other outbuilding or temporary structure shall be used for temporary or permanent residence on any lot in this subdivision. There shall be no detached tool shed, or detached storage building erected or used as an accessory to a residence in this subdivision. [Compiler's Note: These 2 sentences are not included in the Plats for Hunters Woods - First Section and Hunters Woods - Second Section]

Protective screening areas are established as shown on the above [or attached] plat. Planting fences or walls shall be maintained throughout the entire length of such areas by the owner or owners of the lots at their own expense to form an effective screen for the protection of the residential area. No building or structure except a screen fence or wall or utilities or drainage facilities shall be placed or permitted to remain in such areas. No vehicular access over the areas shall be permitted except for the purpose of installation and maintenance of screening, utilities or drainage facilities.

No boat, trailer or camper of any kind (including but not in limitation thereof, house trailers, camping trailers or boat trailers), or any disabled vehicle shall be kept or parked upon any lot except within a garage or other approved structure. [Compiler's Note: This sentence is not included in the Plats for Hunters Woods - First Section and Hunters Woods - Second Section]

In the event storm water drainage from any lot or lots flows across another lot, provisions shall be made to permit such drainage to continue, without restriction or

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reduction, across the downstream lot and into the natural drainage channel or course, even though no specific drainage easement for such flow of water is provided on said plat.

No animals, livestock, or poultry of any description shall be raised, bred, or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred, or maintained for commercial purposes.

No lot in this subdivision shall be used or maintained as a dumping ground for rubbish, trash, garbage, or other waste, and shall not be kept, except in sanitary containers. Trash may be burned only in suitable incinerators during the hours as set forth by Marion County Ordinance.

There are strips of ground on the within plat marked "sidewalk easement" which are intended to be used for the construction of pedestrian walkways. These walkways are for the use of the public and are limited to the use of pedestrian and non-motorized vehicular traffic, and the owners of lots shall take their titles subject to the provisions herein. [Compiler's Note: These 2 sentences are not included in the Plats for Castleton Estates - First Section, Castleton Estates - Second Section, Hunters Woods - First Section and Hunters Woods - Second Section]

It shall be the duty of the owner of each lot in the subdivision to keep the grass on the lot properly cut and to keep the lot free from weeds and trash and otherwise neat and attractive in appearance. Should any owner fail to do so then Developer may take such action as it deems appropriate in order to make the lot neat and attractive, and the owner shall upon demand reimburse Developer for the expense incurred in so doing.

The foregoing covenants, (or restrictions) are to run with the land and shall be binding upon all parties and all persons claiming under them for a period of 25 years from the date of this plat, at which time said covenants, (or restrictions), shall be automatically extended for successive periods of ten (10) years unless changed by vote of a majority of the then owners of the buildings covered by these covenants, or restrictions, in whole or in part. Invalidation of any one of the foregoing covenants or restrictions, by judgment or court order shall in no way affect any of the other covenants or restrictions, which shall remain in full force and effect. Right to enforcement of these covenants is hereby granted to the Metropolitan Development Commission, its successors and assigns.

The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of 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 subdivision and to their heirs and assigns.

The right of enforcement of these covenants is hereby granted to the Metropolitan Development Commission, its successors and assigns.

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[Compiler's Note: The following provisions are applicable only to certain sections.]

[Applicable to Castleton Estates - Section 7B] Lots numbered 181, 182, 201, 202, 203, 204 and 205 on this plat are to gain access from interior streets only. No access will be permitted from said lots onto 86th Street.

[Applicable to Castleton Estates - Section 8-A] Lots numbered 261 and 262 on this plat are to gain access from interior streets only. No access will be permitted from said lots onto 86th Street.

[Applicable to Castlebrook] Lots 1, 2, 4, 5, 9 and 10 shall gain access from interior streets only. No driveways shall be permitted from any lot in this subdivision onto 82nd Street.

[Applicable to Hunters Woods - First Section] Lots numbered 1 & 38 shall gain access from interior streets only, no driveways will be permitted onto 86th Street.

[Applicable to Hunters Woods - Second Section] Lots numbered 42-50 shall gain access from interior streets only, no driveways will be permitted onto 86th Street.

Castleton Estates, Inc. (on behalf of Castleton Estates, Castlebrook and Hunters Woods)

Barbara Whitcomb, President

ATTEST:

Sandra Bowman, Secretary

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A.

Page 6 of 7 (January 2003)

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me a Notary Public in and for said County and State, personally appeared Barbara Whitcomb and Sandra Bowman, the President and Secretary, respectively, of Castleton Estates, Inc., who acknowledged execution of the foregoing Notice of Restated Plat Covenants for and on behalf of said corporation and who, having been duly sworn, stated that the representations contained herein are true.

Witness my hand and Notarial Seal 2 1 wt day of Namey, 2003.

Notary Public, Signature

CLAMP Y

Printed

My Commission Expires:

Residence County: MARI 1/

This instrument prepared by, and should be returned to P. Thomas Murray, Jr. Eads Murray & Pugh, P. Attorneys at Law, 7321 Shadeland Station, Suite 250, Indianapolis, IN 46256. (317) 842-8550.

FILED

FEB 0 7 2003

LAWRENCE TOWNSHIP
ASSESSOR

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Marion Search Search Description: Document # = 1982-78192 Effective Date: 04-08-08 Date: 05-28-2008 Time: 12:17:13 User: MCGREEVYT

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