

# HUNTING CREEK SUBDIVISION

## SECTION II

### RESTRICTIVE COVENANTS

DEDICATION CERTIFICATION

We, the undersigned, owners of real estate shown and described on the attached drawing, do hereby layoff, plat and subdivide said real estate in accordance with the plat herein.

This subdivision shall be known and designated as HUNTING CREEK SUBDIVISION, SECTION TWO, and in addition to WHITE RIVER TOWNSHIP, Johnson County, Indiana. All streets, alleys and public open spaces shown and not heretofore dedicated are hereby dedicated to the public.

Front and side building setback lines are hereby established as shown on this plat, between which lines and the property lines of the street there shall be erected or maintained no building or structure.

There are strips of ground marked "DRAINAGE EASEMENT", "UTILITY EASEMENT", "SANITARY SEWER EASEMENT" and "DETENTION EASEMENT" which are hereby reserved for installation and maintenance of drainage improvements, sanitary sewer improvements, public utilities not including transportation companies, for the installation of poles, mains, sewers, drains, ducts, lines and subject at all times to the rights of proper authorities to service the utilities in said easements.

"DRAINAGE EASEMENTS", "UTILITY EASEMENTS" AND "DETENTION EASEMENTS", for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities or which may change the direction of flow drainage channels in the easements or which may obstruct or retard the flow of water through drainage channels in easements. The easement area of each lot and all improvements thereon shall be maintained continuously by the owner of lots, except for those improvements for which a public authority or utility is responsible.

"SANITARY SEWER EASEMENTS" are reserved for the use of Greenwood City Department of Public Works for installation and maintenance of sanitary sewer facilities, mains, manholes, and cleanouts on the main and other appurtenances as shown on the plat.

Any field title or underground drain which is encountered in construction of any improvements within this Subdivision shall be perpetuated, and all owners of lots in this Subdivision and their successors shall comply with the Drainage Code of 1965, and all amendments thereto.

Drainage ditches along all roads and streets shall be maintained and kept unobstructed so long as the roadway is not curbed; each driveway shall be maintained and kept unobstructed provided with a drainage structure with size, slope, and location subject to the approval by the Johnson County Highway Department. The location of all ditches, swales, parking areas, sodded grassways, other improvements, and easements shall be shown on the plat.

WITNESS MY HAND AND SEAL THIS 25 DAY OF July, 1982.

  
RICHARD D. ARNOS, CHAIRMAN

REPUBLIC DEVELOPMENT CORP.  
AN OHIO CORPORATION

STATE OF INDIANA )  
COUNTY OF JOHNSON )

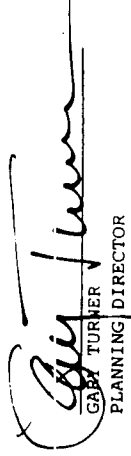
BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR JOHNSON COUNTY, INDIANA, PERSONALLY APPEARED Richard D. Arnos, Chairman AND EACH SEPARATELY AND SEVERALLY ACKNOWLEDGED EXECUTION OF THE FOREGOING INSTRUMENT AS HIS VOLUNTARY ACT AND DEED, FOR THE PURPOSE EXPRESSED HEREIN.

WITNESS MY HAND AND SEAL THIS 25 DAY OF July, 1982.

  
Lisa J. Foley, NOTARY PUBLIC

COUNTY OF RESIDENCE Johnson  
MY COMMISSION EXPIRES 2-28-92

THIS PLAT IS RECOMMENDED FOR APPROVAL BY THE JOHNSON COUNTY PLAN COMMISSION.

  
GARY TURNER  
PLANNING DIRECTOR

APPROVED BY THE JOHNSON COUNTY PLAN COMMISSION IN ACCORDANCE WITH THE SUBDIVISION CONTROL ORDINANCE.

BY:

# HUNTING

# CREEK

## SECTION

## RESTRICTIVE CO

### DEDICATION CERTIFICATION

We, the undersigned, owners of real estate shown and described on the attached drawing, do hereby layoff, plat and subdivide said real estate in accordance with the plat herein.

This subdivision shall be known and designated as HUNTING CREEK SUBDIVISION, SECTION TWO, and addition to WHITE RIVER TOWNSHIP, Johnson County, Indiana. All streets, alleys and public open spaces shown and not heretofore dedicated are hereby dedicated to the public.

Front and side building setback lines are hereby established as shown on this plat, between which lines and the property lines of the street there shall be erected or maintained no building or structure.

There are strips of ground marked "DRAINAGE EASEMENT", "UTILITY EASEMENT", "SANITARY SEWER EASEMENT" and "DETENTION EASEMENT" which are hereby reserved for installation and maintenance of drainage improvements, sanitary sewer improvements, public utilities not including transportation companies, for the installation of poles, mains, sewers, drains, ducts, lines and subject at all times to the rights of proper authorities to service the utilities in said easements.

"DRAINAGE EASEMENTS", "UTILITY EASEMENTS" AND "DETENTION EASEMENTS", for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities or which may change the direction of flow drainage channels in the easements or which may obstruct or retard the flow of water through drainage channels in easements. The easement area of each lot and all improvements thereon shall be maintained continuously by the owner of lots, except for those improvements for which a public authority or utility is responsible.

"SANITARY SEWER EASEMENTS" are reserved for the use of Greenwood City Department of Public Works for installation and maintenance of sanitary sewer facilities, mains, manholes, and cleanouts on the main and other appurtenances as shown on the plat.

Any field tile or underground drain which is encountered in construction of any improvements within this Subdivision shall be perpetuated, and all owners of lots in this Subdivision and their successors shall comply with the Drainage Code of 1965, and all amendments thereto.

Drainage ditches along all roads and streets shall be preserved and kept unobstructed so long as the roadway is not curbed; each driveway over a drainage ditch shall be provided with a drainage structure with size, material, length, location and grade approval by the Johnson County Highway Department. Property owners must maintain these swales as sodded grassways, other non-eroding surfaces. Water from roofs or parking areas must be contained on the property long enough so that said drainage swales or ditches will not be damaged by such water. Driveways must be constructed over these swales or ditches only when appropriate sized culverts or other approved structures have been permitted by the County Drainage Board. Any property owner altered, changing, or damaging these drainage swales or ditches will be held responsible for such action and will be given 10 days notice by certified mail to repair said damage. After which time, if no action is taken, the Johnson County Drainage Board will cause said repairs to be accomplished, and the bill for said repairs will be sent to the affected property owner for immediate payment.

All lands in the Subdivision and the use of the lands in this Subdivision by present and future owners or occupants shall be subject to the covenants, conditions and restrictions for "HUNTING CREEK SUBDIVISION" as recorded in Misc. Record **060**, Page **502** in the Office of the Recorder of Johnson County, Indiana, and the foregoing covenants and restrictions are to run with the real estate.

Invalidation of any of the foregoing covenants or restrictions by judgement or court order shall in no way affect the remaining portions not so affected.

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.

### REQUIRED DEDICATION AND APPROVAL STATEMENT

in the easements or which may obstruct or retard the flow of water through drainage channels in easements. The easement area of each lot and all improvements thereon shall be maintained continuously by the owner of lots, except for those improvements for which a public authority or utility is responsible.

"SANITARY SEWER EASEMENTS" are reserved for the use of Greenwood City Department of Public Works for installation and maintenance of sanitary sewer facilities, mains, manholes, and cleanouts on the main and other appurtenances as shown on the plat.

Any field title or underground drain which is encountered in construction of any improvements within this Subdivision shall be perpetuated, and all owners of lots in this Subdivision and their successors shall comply with the Drainage Code of 1965, and all amendments thereto.

Drainage ditches along all roads and streets shall be preserved and kept unobstructed so long as the roadway is not curbed; each driveway over a drainage ditch shall be provided with a drainage structure with size, material, length, location and grade approval by the Johnson County Highway Department. Property owners must maintain these swales as sodded grassways, other non-eroding surfaces. Water from roofs or parking areas must be contained on the property long enough so that said drainage swales or ditches will not be damaged by such water. Driveways must be constructed over these swales or ditches only when appropriate sized culverts or other approved structures have been permitted by the County Drainage Board. Any property owner altered, changing, or damaging these drainage swales or ditches will be held responsible for such action and will be given 10 days notice by certified mail to repair said damage. After which time, if no action is taken, the Johnson County Drainage Board will cause said repairs to be accomplished, and the bill for said repairs will be sent to the affected property owner for immediate payment.

All lands in the Subdivision and the use of the lands in this Subdivision by present and future owners or occupants shall be subject to the covenants, conditions and restrictions for "HUNTING CREEK SUBDIVISION" as recorded in Misc. Record **060**, Page **502** in the Office of the Recorder of Johnson County, Indiana, and the foregoing covenants and restrictions are to run with the real estate.

Invalidation of any of the foregoing covenants or restrictions by judgement or court order shall in no way affect the remaining portions not so affected.

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.

REQUIRED DEDICATION AND APPROVAL STATEMENT

BE IT RESOLVED by the Board of Public Works and Safety, City of Greenwood, Johnson County, Indiana, that the dedications for sanitary sewer easements shown on this plat are hereby approved and accepted this 1 day of Aug, 1988

*Jeanette Surina*  
Jeanette Surina, Mayor

*Richard Heiney*  
Richard Heiney, Member

*William Crawford*  
William Crawford, Member

ATTEST: *Genevieve Worsham*  
Genevieve Worsham  
Clerk-Treasurer

REQUIRED COVENANT WAIVING REMONSTRANCE RIGHTS

All lot owners who subsequently tap into or are connected with the sewer system provided for in this subdivision as described in this plat release their right to remonstrate against pending or future annexation by the City of Greenwood pursuant to a certain contract dated JUNE 1, 1988, and recorded in the Johnson County Recorder's Office in Book 40, Page 593, on AUGUST 3, 1988, Franklin, Indiana.

C-376

6-22-94 Assign