



**Chicago Title Insurance Company**  
Indianapolis Metro Offices  
Telephone (317) 684-3800



## **COVENANTS AND RESTRICTIONS**

# **IMPERIAL HILLS SOUTH, SEC 1**

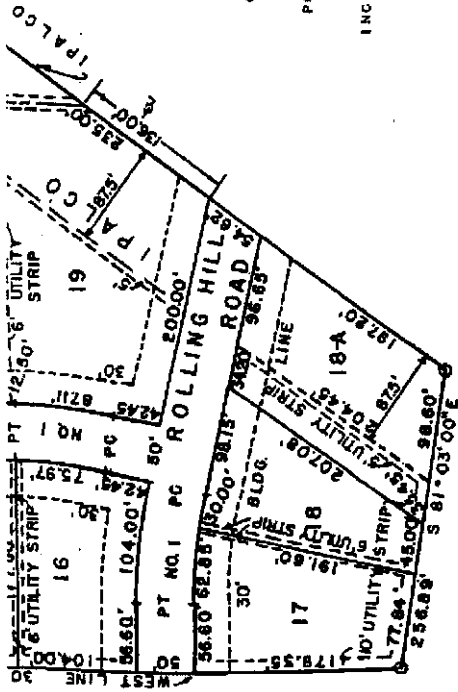
**(Johnson County, IN)**

***The materials made available here are for general information only and should NOT be relied upon for making any major or final decisions with respect to any of the properties referenced.***

***The most current and up-to-date copies of Covenants, Restrictions or other Data relative to any property should be obtained from the current governing body of the Subdivision (generally the Home Owner's Association) if applicable. Chicago Title makes NO representations or warranties with respect to any of the materials contained herein.***

**DOS=7-24-09**





8. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, GARAGE, BATH OR RESIDENCE EITHER TEMPORARILY OR PERMANENTLY.

9. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT ONE NOT MORE THAN FIVE SQUARE FEET ADVERTISING THE PROPERTY FOR SALE OR RENT, OR SIGNS USED BY SALES PERIODS.

10. NO OIL DRILLING, OIL DEVELOPMENT OPERATIONS, OIL REFINING, QUARRYING OR MINING OPERATIONS, OIL WELLS, TANKS, TUNNELS, MINERAL EXCAVATIONS OR SHAFTS BE PERMITTED UPON OR IN ANY LOT. NO OR NATURAL GAS SHALL BE ERRECTED, MAINTAINED OR PERMITTED UPON ANY LOT.

11. NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY LOT PROVIDED THAT THEY ARE NOT KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.

12. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH. TRASH, GARBAGE OR INCINERATORS OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A C

13. NO INDIVIDUAL WATER SUPPLY SYSTEM SHALL BE PERMITTED ON ANY LOT. THE PUBLIC WATER SYSTEM

14. NO INDIVIDUAL SEWAGE SYSTEM SHALL BE PERMITTED ON ANY LOT. THE PUBLIC SEWAGE SYSTEM SHALL

15. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS BIGHT LINES AT ELEVATIONS BETWEEN THE STREET PROPERTY LINES AND A LINE CONNECTING THEM AT POINTS 25 FEET FROM THE INTERSECTION FROM THE INTERSECTION OF THE STREET PROPERTY LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL APPLY ON ANY LOT WITHIN 10 FEET FROM THE INTERSECTION OF PAVEMENT. NO TREE SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCES OF SUCH INTERSECTIONS UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PERMIT LIGHT TO PASS THEREUNDER.

16. ALL ROADS AND PARTS OF ROADS HERETOFORE NOT DEDICATED TO THE PUBLIC.

17. THESE RESTRICTIONS AND HEREBY DECLARED TO BE COVENANTS RUNNING WITH THIS LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER COVENANTS ARE RECORDED AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS UNLESS AN INSTRUMENT SIGNED BY APPLICANT TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.

18. ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANTS EITHER TO INJUNCTION OR TO DAMAGES.

19. INVALIDATION 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.

*Robert H. Clark*  
ROBERT H. CLARK

STATE OF INDIANA 53  
COUNTY OF JOHNSON

I, THE UNDERSIGNED, A NOTARY PUBLIC DULY COMMISSIONED TO TAKE ACKNOWLEDGMENTS AND ADMINISTER OATHS IN THE STATE OF INDIANA, CERTIFY THAT ROBERT H. CLARK, THE SIGNER OF THE FOREGOING INSTRUMENT, IS A VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND NOTARIAL SEAL.

My Commission Expires

NOTARY PUBLIC

I, GILMORE C. ABPLANALP, HEREBY CERTIFY THAT I AM A PROFESSIONAL ENGINEER, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, AND THAT THIS INSTRUMENT SHOWS THE MONUMENTS SHOWN THEREON ACTUALLY EXIST.

*Gilmore C. Abplanalp*  
GILMORE C. ABPLANALP  
REGISTERED ENGINEER No. 6776

APRIL 20, 1961

... OR OTHERWISE AS A SOURCE OF POLLUTION. SUCH MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION.

- 3. NO INDIVIDUAL WATER SUPPLY SYSTEM SHALL BE PERMITTED ON ANY LOT. THE PUBLIC WATER SYSTEM SHALL BE THE ONLY MEANS OF WATER SUPPLY.
- 4. NO INDIVIDUAL SEWAGE SYSTEM SHALL BE PERMITTED ON ANY LOT. THE PUBLIC SEWAGE SYSTEM SHALL BE THE ONLY MEANS OF SEWAGE DISPOSAL.
- 5. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN 2 AND 6 FEET ABOVE THE ROADWAYS SHALL BE PLACED OR PERMITTED TO THE STREET PROPERTY LINES AND A LINE CONNECTING THEM AT POINTS 25 FEET FROM THE INTERSECTION OF THE STREET LINES, OR IN THE CASE OF A ROUNDED PROPERTY CORNER, THE SAME SIGHT LINE LIMITATIONS SHALL APPLY ON ANY LOT WITHIN 10 FEET FROM THE INTERSECTION OF A STREET PROPERTY LINE WITH THE EDGE OF A DRIVEWAY OR ALLEY STANCES OF SUCH INTERSECTIONS UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SUCH SIGHT LINES.

3 ARE HEREBY DEDICATED TO THE PUBLIC.

ITS RUNNING WITH THIS LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM THE DATE THESE BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS UNLESS AN INSTRUMENT SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS HAS BEEN RECORDED

ITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANTS EITHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGES.

NT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

BY \_\_\_\_\_, 1961.

*A. H. K.*  
No. CLARK

I TAKE ACKNOWLEDGMENTS AND ADMINISTER OATHS IN THE STATE OF INDIANA, CERTIFY THAT ROBERT M. CLARK PERSONALLY APPEARED BEFORE ME AND ACKNOWLEDGED THE

NOTARY PUBLIC

SIONAL ENGINEER, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, AND THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY COMPLETED BY ME IN 1961

*Stefore C. Arnheim*  
STEFORE C. ARNHEIM  
REGISTERED ENGINEER NO. 6726  
APRIL 20, 1961

CTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THEREOF, AND THE ORDINANCE ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JOHNSON AS FOLLOWS:

IS FILED \_\_\_\_\_, 1961.

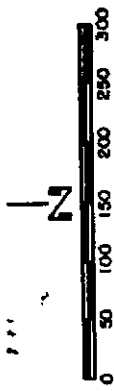
JOHNSON COUNTY PLAIN COMMISSIONER

*W. V. Coffman*  
COFFMAN, CLERK

*Douglas Cotton*  
DOUGLAS COTTON, SECRETARY

THE GENERAL ASSEMBLY, STATE OF INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY, INDIANA, AT A REGULAR MEETING HELD

O - CONCRETE MONUMENT



KNOW ALL MEN BY THESE PRESENTS: THAT ROBERT M. CLARK, OF MARION COUNTY, INDIANA, BEING THE OWNER IN FEE SIMPLE OF THE FOLLOWING DESCRIBED REAL ESTATE IN PLEASANT TOWNSHIP, JOHNSON COUNTY, INDIANA, TO-WIT:

A PART OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 14 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF SAID QUARTER SECTION 2.50 FEET EAST OF THE NORTHWEST CORNER THEREOF; THENCE SOUTH PARALLEL TO THE WEST LINE OF SAID QUARTER SECTION 1523.35 FEET; THENCE SOUTH 51 DEGREES 03 MINUTES 00 SECONDS EAST 256.89 FEET; THENCE NORTH 36 DEGREES 29 MINUTES 00 SECONDS EAST 1753.52 FEET; THENCE NORTH 67 DEGREES 05 MINUTES 00 SECONDS WEST 30.30 FEET; THENCE NORTH 03 DEGREES 10 MINUTES 10 SECONDS WEST 249.39 FEET TO THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTH 89 DEGREES 26 MINUTES 00 SECONDS WEST ON AND ALONG SAID NORTH LINE 1268.35 FEET TO THE PLACE OF BEGINNING, CONTAINING 32.45 ACRES, MORE OR LESS.

HEREBY SUBDIVIDES SAID REAL ESTATE INTO LOTS AND STREETS IN ACCORDANCE WITH THE PLAT ATTACHED HERETO AS A SUBDIVISION TO BE KNOWN AS "IMPERIAL HILLS-SOUTH", FIRST SECTION, IN PLEASANT TOWNSHIP, JOHNSON COUNTY, INDIANA. ALL STREETS AND ALLEYS AS SHOWN ON THE ATTACHED PLAT AND HERETOFORE NOT DEDICATED, ARE HEREBY DEDICATED TO PUBLIC USE, AND ALL OF THE LOTS CONTAINED IN SUCH PLAT OR ANY PORTION THEREOF SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS:

1. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES. NO BUILDING SHALL BE ERRECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE DETACHED SINGLE-FAMILY DWELLING, NOT TO EXCEED TWO STORIES IN HEIGHT AND A PRIVATE GARAGE.
2. ANY RESIDENCE HAVING A FRONT ELEVATION OF 40 FEET OR MORE IN LENGTH SHALL CONTAIN A MINIMUM OF 1010 SQUARE FEET OF GROUND FLOOR LIVING AREA. ANY RESIDENCE HAVING A FRONT ELEVATION OF LESS THAN 40 FEET SHALL CONTAIN A MINIMUM OF 1040 SQUARE FEET OF LIVING AREA. THE GROUND FLOOR LIVING AREA FOR A DWELLING OF MORE THAN ONE STORY SHALL CONTAIN A MINIMUM OF 770 SQUARE FEET.
3. NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE OR NEARER TO THE SIDE STREET LINE THAN THE MINIMUM BUILDING SETBACK LINES SHOWN ON THE RECORDED PLAT. NO BUILDING SHALL BE LOCATED NEARER THAN 10 FEET TO A SIDE YARD LINE, AND THE TOTAL SIDE YARD SETBACK (BOTH SIDES) MUST BE AT LEAST 25 FEET. A THREE FOOT SIDE YARD SETBACK SHALL BE REQUIRED FOR AN ACCESSORY BUILDING NOT EXCEEDING 18 FEET IN HEIGHT AND IF DETACHED FROM THE PRINCIPAL BUILDING, IT SHALL BE LOCATED AT LEAST AS FAR BACK AS THE REAR OF THE PRINCIPAL BUILDING.
4. EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES ARE RESERVED AS SHOWN ON THE RECORDED PLAT. UTILITY STRIPS ARE RESERVED FOR THE USE OF PUBLIC UTILITIES FOR INSTALLATION OF SEWER AND SEWER MAINS, POLES, DUCTS, LINES AND WIRES, AND DRAINAGE, SUBJECT AT ALL TIMES TO THE PROPER AUTHORITY AND TO THE EASEMENT HEREIN RESERVED. NO PERMANENT OR OTHER STRUCTURES ARE TO BE ERRECTED OR MAINTAINED UPON SAID STRIP OF LAND BY OWNERS OF LOTS IN THIS SUBDIVISION, WHO TAKE THEIR TITLE SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES.
5. NO DWELLING SHALL BE ERRECTED OR PLACED ON ANY LOT HAVING AN AREA OF LESS THAN 11,000 SQUARE FEET.
6. ALL SWALES FOR DRAINAGE OF LOTS THAT ARE LOCATED ON SIDE LOT LINES AND ON REAR LOT LINES SHALL BE PRESERVED AND NOT OBSTRUCTED IN ACCORDANCE WITH A GENERAL DRAINAGE PLAN ON FILE WITH THE FEDERAL HOUSING ADMINISTRATION. NO DOWNSPOUTS SHALL BE CONNECTED TO ANY SANITARY SEWER.
7. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD. NO FENCE OR SCREEN PLANTING OF OVER 36 INCHES IN HEIGHT SHALL BE PERMITTED FROM THE BUILDING SETBACK LINE TO THE FRONT LOT LINE. NO TREES SHALL BE LOCATED NEARER THAN 5 FEET TO THE FRONT LOT LINE OF ANY LOT.
8. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUTBUILDING SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE EITHER TEMPORARILY OR PERMANENTLY.
9. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT ONE PROFESSIONAL SIGN OF NOT MORE THAN ONE SQUARE FOOT, ONE SIGN OF NOT MORE THAN FIVE SQUARE FEET ADVERTISING THE PROPERTY FOR SALE OR RENT, OR SIGNS USED BY A BUILDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALES PERIOD.
10. NO OIL DRILLING, OIL DEVELOPMENT OPERATIONS, OIL REFINING, QUARRYING OR MINING OPERATIONS OF ANY KIND SHALL BE PERMITTED UPON OR IN ANY LOT, NOR SHALL OIL WELLS, TANKS, TUNNELS, MINERAL EXCAVATIONS OR SHAFTS BE PERMITTED UPON OR IN ANY LOT. NO DERRICK OR OTHER STRUCTURE DESIGNED FOR USE IN BORING FOR OIL OR NATURAL GAS SHALL BE ERRECTED, MAINTAINED OR PERMITTED UPON ANY LOT.
11. NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND 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 ANY COMMERCIAL PURPOSE.
12. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH, GARBAGE OR OTHER WASTE SHALL NOT BE KEPT EXCEPT IN SANITARY CONTAINERS. ALL INCINERATORS OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION.
13. NO INDIVIDUAL WATER SUPPLY SYSTEM SHALL BE PERMITTED ON ANY LOT. THE PUBLIC WATER SYSTEM SHALL BE THE ONLY MEANS OF WATER SUPPLY.
14. NO INDIVIDUAL SEWAGE SYSTEM SHALL BE PERMITTED ON ANY LOT. THE PUBLIC SEWAGE SYSTEM SHALL BE THE ONLY MEANS OF SEWAGE DISPOSAL.
15. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN 2 AND 6 FEET ABOVE THE ROADWAYS SHALL BE PLACED OR PERMITTED TO REMAIN BY THE STREET PROPERTY LINES AND A LINE CONNECTING THEM AT POINTS 25 FEET FROM THE INTERSECTION OF THE STREET LINES, OR IN THE CASE OF A ROUNDED PROPERTY CORNER THE SAME SIGHT LINE LIMITATIONS SHALL APPLY ON ANY LOT WITHIN 10 FEET FROM THE INTERSECTION OF A STRAIGHT PROPERTY LINE WITH THE FACE OF A ROADWAY OR ALLEY.

