

KESSLER ESTATES

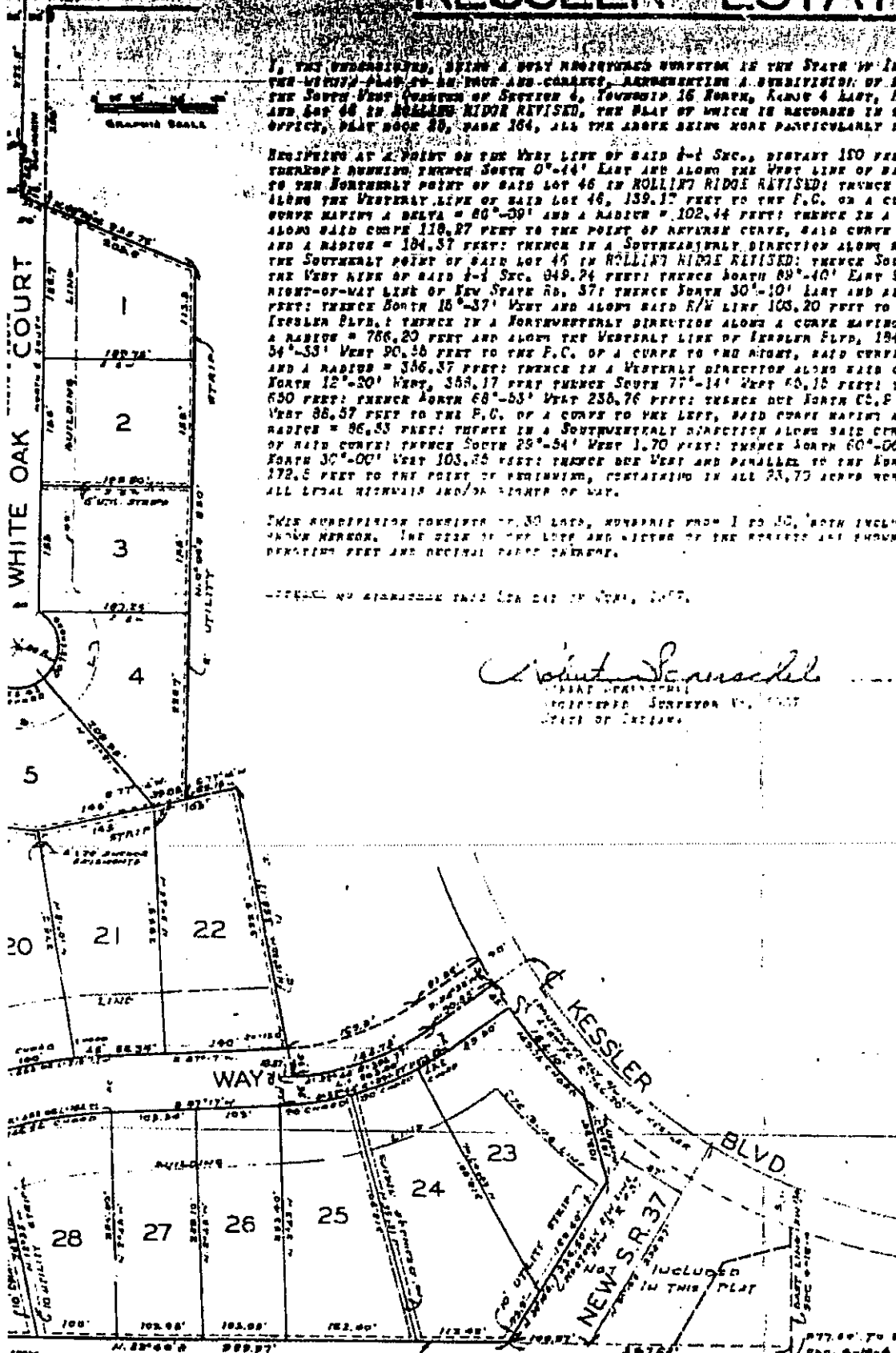
I, THE UNDERSIGNED, BEING A DEUTY REGISTERED SURVEYOR IN THE STATE OF INDIANA, HEREBY CERTIFY THE ACCOMPANYING PLAN TO BE TRUE AND CORRECT, REPRESENTING A SUBDIVISION OF PART OF THE EAST HALF OF THE SOUTH WEST QUARTER OF SECTION 4, TOWNSHIP 16 NORTH, RANGE 4 EAST, HANCOCK COUNTY, INDIANA, AND LOT 46 IN ROLLING RIDGE REVISED, THE PLAN OF WHICH IS RECORDED IN THE HANCOCK COUNTY RECORDER'S OFFICE, PLAT BOOK 20, PAGE 104, ALL THE ABOVE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID 4-4 SEC., DISTANT 150 FEET SOUTH OF THE N.W. CORNER THEREOF; THENCE SOUTH 0°-44' EAST AND ALONG THE WEST LINE OF SAID 4-4 SEC. 364.77 FEET TO THE NORTHERLY POINT OF SAID LOT 46 IN ROLLING RIDGE REVISED; THENCE SOUTH 21°-43' WEST AND ALONG THE WESTERLY LINE OF SAID LOT 46, 139.17 FEET TO THE P.C. OF A CURVE TO THE LEFT, SAID CURVE HAVING A DELTA = 60°-39' AND A RADIUS = 102.44 FEET; THENCE IN A SOUTHEASTERLY DIRECTION ALONG SAID CURVE 118.27 FEET TO THE POINT OF REVERSE CURVE, SAID CURVE HAVING A DELTA = 75°-25' AND A RADIUS = 184.37 FEET; THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID CURVE 57.64 FEET TO THE SOUTHERLY POINT OF SAID LOT 46 IN ROLLING RIDGE REVISED; THENCE SOUTH 0°-44' EAST AND ALONG THE WEST LINE OF SAID 4-4 SEC. 849.24 FEET; THENCE SOUTH 89°-40' EAST 989.97 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF NEW STATE RD. 37; THENCE SOUTH 30°-10' EAST AND ALONG SAID R/W LINE 350.50 FEET; THENCE SOUTH 16°-37' WEST AND ALONG SAID R/W LINE 103.20 FEET TO THE WESTERLY R/W LINE OF KESSLER BLVD.; THENCE IN A NORTHWESTERLY DIRECTION ALONG A CURVE HAVING A DELTA = 89°-56' AND A RADIUS = 786.20 FEET AND ALONG THE WESTERLY LINE OF KESSLER BLVD. 184.10 FEET; THENCE SOUTH 54°-53' WEST 90.56 FEET TO THE P.C. OF A CURVE TO THE RIGHT, SAID CURVE HAVING A DELTA = 32°-44' AND A RADIUS = 386.37 FEET; THENCE IN A WESTERLY DIRECTION ALONG SAID CURVE 124.73 FEET; THENCE NORTH 12°-20' WEST, 388.17 FEET; THENCE SOUTH 77°-14' WEST 46.16 FEET; THENCE NORTH 0°-00' EAST 650 FEET; THENCE NORTH 68°-53' WEST 256.76 FEET; THENCE DEE NORTH CO. 8 FEET; THENCE SOUTH 70°-30' WEST 88.57 FEET TO THE P.C. OF A CURVE TO THE LEFT, SAID CURVE HAVING A DELTA = 40°-36' AND A RADIUS = 86.53 FEET; THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID CURVE 81.17 FEET TO THE P.P. OF SAID CURVE; THENCE SOUTH 29°-54' WEST 1.70 FEET; THENCE SOUTH 60°-00' WEST 75 FEET; THENCE NORTH 30°-00' WEST 103.85 FEET; THENCE DEE WEST AND PARALLEL TO THE NORTH LINE OF SAID 4-4 SEC. 172.5 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 23.73 ACRES MORE OR LESS, SUBJECT TO ALL LEGAL RIGHTS AND/OR RIGHTS OF WAY.

THIS SUBDIVISION CONVEYS TO 30 LOTS, NUMBERED FROM 1 TO 30, BOTH INCLUSIVE, WITH THEREIN AS SHOWN HEREON. THE SIZE OF THE LOTS AND SIDES OF THE PLOTS ARE SHOWN ON THIS PLAN IN FEET AND DECIMAL PARTS THEREOF.

WITNESSED MY HAND AND SEAL OF OFFICE, THIS 12th DAY OF APRIL, 1977.

Robert S. Samschel
 GREAT GREAT SURVEYOR
 REGISTERED SURVEYOR No. 1037
 STATE OF INDIANA



AND MARY D. LEWIS, SECRETARY, CORPORATION, BY ITS FULLY AUTHORIZED AGENT, HEREBY LAY OFF, PLAT AND SUBDIVISION SAID. No BUILDING SHALL BE ERRECTED, PLACED OR ALTERED ON ANY BUILDING PLOT IN THIS SUBDIVISION.

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Not included
in this plat

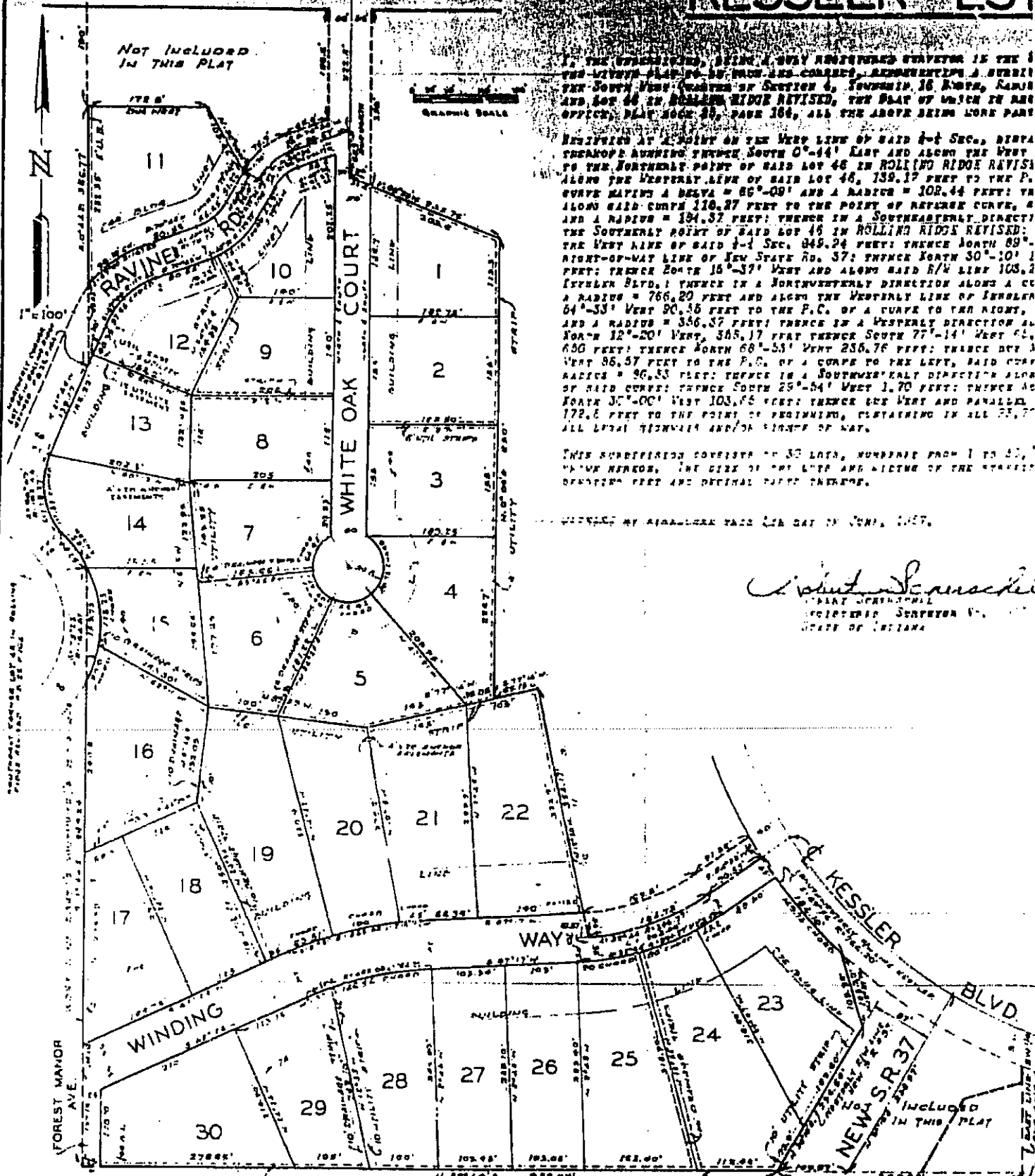
GRAPHIC SCALE

THE UNDERSIGNED, BEING A SOLE AUTHORIZED AGENT IN THE
THE VIZARD, BEING A SOLE AUTHORIZED AGENT IN THE
THE SOUTH PART OF SECTION 6, TOWNSHIP 16 NORTH, RANGE
AND LOT 46 IN ROLLING RIDGE REVISED, THE PLAT OF WHICH IS ON
OFFICE, PLAT BOOK 33, PAGE 164, ALL THE ABOVE BEING MORE
REVISED AT A POINT ON THE WEST LINE OF SAID 4-1 SEC., BY A
TREASURY TRUNK SOUTH 0°-44' EAST AND ALONG THE WEST
TO THE NORTHERLY POINT OF SAID LOT 46 IN ROLLING RIDGE REVISED
ALONG THE WESTERN LINE OF SAID LOT 46, 139.17 FEET TO THE P.
CURVE HAVING A DELTA = 86°-09' AND A RADIUS = 102.44 FEET; TH
ALONG SAID CURVE 116.27 FEET TO THE POINT OF REVERSE CURVE, A
AND A RADIUS = 194.32 FEET; THENCE IN A SOUTHWESTERLY DIRECTI
TO THE SOUTHERLY POINT OF SAID LOT 46 IN ROLLING RIDGE REVISED;
THE WEST LINE OF SAID 4-1 SEC. 349.24 FEET; THENCE NORTH 89°-
RIGHT-OF-WAY LINE OF NEW STATE RD. 37; THENCE NORTH 30°-10' E
FEET; THENCE SOUTH 15°-37' WEST AND ALONG SAID R/W LINE 103.2
WHEELER BLVD.; THENCE IN A NORTHWESTERLY DIRECTION ALONG A CU
A RADIUS = 766.20 FEET AND ALONG THE WESTERN LINE OF WHEELER
64°-33' WEST 90.36 FEET TO THE P.C. OF A CURVE TO THE RIGHT,
AND A RADIUS = 356.57 FEET; THENCE IN A WESTERLY DIRECTION AL
NORTH 12°-20' WEST, 345.17 FEET THENCE SOUTH 77°-14' WEST 61
650 FEET; THENCE NORTH 68°-33' WEST 256.76 FEET; THENCE BY A
WEST 86.57 FEET TO THE P.C. OF A CURVE TO THE LEFT, SAID CURV
RADIUS = 96.53 FEET; THENCE IN A SOUTHWESTERLY DIRECTION ALON
OF SAID CURVE; THENCE SOUTH 25°-54' WEST 1.70 FEET; THENCE AC
FOUR 30°-00' WEST 103.85 FEET; THENCE SEE WEST AND PARALLEL
172.8 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 23, 7
ALL LEGAL RESERVES AND/OR RIGHTS OF WAY.

THIS SUBDIVISION COVERS 30 LOTS, NUMBERED FROM 1 TO 30,
MORE HEREON, THE SIZE OF THE LOTS AND SIDING OF THE STREETS
CONTAINED HEREIN AND DECIMAL PARTS THEREOF.

APPROVED BY REGISTERED LAND SURVEYOR

Robert S. ...
REGISTERED SURVEYOR
STATE OF INDIANA



AND MARY D. LAWSON, SECRETARY,
CORPORATION, BY ITS SOLE AUTHORIZED
OFFICER, EDWARD L. ANDERSON, PRESIDENT, HEREBY LAY OFF, PLAT AND SUBDIVISION SAID
NO BUILDING SHALL BE ERRECTED, PLACED ON ANY

AND MARY D. LAWSON, SECRETARY,
KESLER ESTATE TRUST CORPORATION, BY ITS DULY AUTHORIZED
ANDERSON, PRESIDENT, HEREBY LAY OFF, PLAT AND SUBDIVIDE SAID

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PLAT WHICH SHALL BE KNOWN AND DESIGNATED AS "KESLER ESTATES", AN ADDITION
TO THE COUNTY OF INDIANA.

THE SEVERAL STRIPS OF GROUND MARKED UTILITY STRIPS SHOWN ON THE PLAT WHICH ARE
RESERVED FOR PUBLIC UTILITIES, NOT INCLUDING TRANSPORTATION COMPANIES, FOR
THE INSTALLATION AND MAINTENANCE OF POLES, LINES, SEWERS, DRAINS, DUCTS, LINES
OR CONDUITS OF ANY KIND, AND SUBJECT AT ALL TIMES TO THE RIGHTS OF PROPER AUTHOR-
ITIES TO LOCATE THE UTILITIES AND THE EASEMENTS HEREBY CREATED, AND NO PERMANENT
BUILDINGS OR PART THEREOF, EXCEPT FENCES, SHALL BE BUILT,
ERECTED OR MAINTAINED ON SAID "UTILITY STRIPS".

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IN THIS SUBDIVISION AND THE USE OF THE LOTS IN THIS SUBDIVISION BY PRESENT
OWNERS OR SUCCESSORS OR ASSIGNEES SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS AND
RESTRICTIONS, WHICH SHALL RUN WITH THE LAND:

THE BUILDING LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE WITHIN PLAT,
AND THE PROPERTY LINES OF THE SEVERAL STREETS SHALL BE ERECTED
AND MAINTAINED OR OTHER STRUCTURES, OR PART THEREOF, EXCEPT OPEN

THE LOTS IN THIS SUBDIVISION SHALL BE DESIGNATED AS RESIDENTIAL LOTS EXCEPT
WITH THE CONSENT OF A MAJORITY OF LOT OWNERS A LOT OR LOTS MAY BE USED FOR
OTHER PURPOSES. ONLY ONE SINGLE FAMILY DWELLING NOT EXCEEDING TWO AND
A HALF STORIES AT THIRTY-FIVE (35) FEET IN HEIGHT WITH THE USUALLY ACCESSORY
BUILDINGS SHALL BE ERECTED OR MAINTAINED ON ANY LOT IN THIS ADDITION.

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NO BUILDINGS SHALL BE ERECTED OR MAINTAINED ON ANY LOT IN THIS ADDITION
WHOSE GROUND FLOOR AREA IS MORE THAN 1,500 SQUARE FEET, IF A ONE-STORY STRUCTURE,
OR MORE THAN 2,000 SQUARE FEET IN THE CASE OF A HIGHER STRUCTURE.

NO BUILDING OR PART THEREOF SHALL BE SO LOCATED AS TO PROVIDE A SIDE
SETBACK OF EACH SIDE OF SAID BUILDING EQUAL IN WIDTH TO FIFTEEN (15%) PER CENT OF THE
LOT AREA OF THE LOT AT THE BUILDING SETBACK LINE OR TWENTY (20) FEET, WHICHEVER IS
GREATER, EXCEPT THAT IN CASE WHERE THE SAME PERSON OR PERSONS OWN TWO ADJOIN-
ING LOTS SEPARATED BY A UTILITY STRIP AS SHOWN ON THE PLAT, THEN THIS RE-
QUIREMENT SHALL APPLY TO THE LOT LINES OF THE EXTREME BOUNDARIES OF THE MULTIPLE

SEWER SYSTEM IS INSTALLED IN THIS SUBDIVISION
A DISPOSAL TANK WITH ADEQUATE ABSORPTION BED SHALL BE
PROVIDED FOR EACH DWELLING ERECTED. SUCH SEPTIC TANK OR DISPOSAL TANK AND AB-
SORPTION BED SHALL BE OF SUCH TYPE AND CONSTRUCTION AND SO LOCATED ON THE LAND
AS TO BE APPROVED IN WRITING BY THE PUBLIC AUTHORITY HAVING JURISDICTION OVER
SANITARY MATTERS IN THE LOCALITY OF THIS SUBDIVISION. NO SANITARY PROVI-
SIONS WHICH ARE NOT APPROVED BY SAID PUBLIC AUTHORITY SHALL BE PERMITTED OR USED IN THIS SUBDIVISION.

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NO BUILDING, SHED, DOCK, BRACK, BARN, GARAGE OR TEMPORARY STRUCTURE OF ANY
KIND SHALL BE USED FOR TEMPORARY OR PERMANENT RESIDENTIAL PURPOSES ON ANY OF
THE LOTS IN THIS ADDITION. NO OBSCENE OR OFFENSIVE TRADES SHALL BE CARRIED ON ON ANY LOT IN
THIS ADDITION, NOR SHALL ANYTHING BE DONE THEREON WHICH SHALL BE OR BECOME A
NUISANCE TO THE NEIGHBORHOOD.

NO LOT IN THIS ADDITION SHALL BE RE-SUBDIVIDED INTO A BUILDING PLOT HAVING
AN AREA LESS THAN 36,000 SQUARE FEET.

MY COMM:

APPROVED THIS 28th
DAY OF March 1958
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8. NO BUILDING SHALL BE ERRECTED, 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 IN WRITING AS TO THE COMPLETENESS AND HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES IN THIS SUBDIVISION, AND AS TO LOCATION OF THE BUILDING WITH RESPECT TO THE TOPOGRAPHY AND FINISHED GROUND ELEVATION BY KESSLER ESTATES REALTY CORPORATION OR BY A REPRESENTATIVE OR REPRESENTATIVES DESIGNATED BY THEM. 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 REPRESENTATIVES SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT.

9. 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 ERRECTED OR ALTERED IN VIOLATION THEREOF BY INJUNCTION OR OTHER LEGAL PROCESS IS HEREBY RESERVED TO EACH AND EVERY OWNER OF THE SEVERAL LOTS IN THIS SUBDIVISION, THEIR GRANTEES AND ASSIGNS, WHO SHALL BE ENTITLED TO SUCH INJUNCTIVE RELIEF WITHOUT BEING REQUIRED TO SHOW ANY DAMAGES, TOGETHER WITH REASONABLE ATTORNEY'S FEES.

10. 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 HEREINAFTER FOR PERIODS OF 35 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 ADDITION SHALL EXECUTE AND ACKNOWLEDGE A DECLARATION IN WRITING WAIVING RENEWALS AND SAID WRITTEN DECLARATION SHALL BE RECORDED IN LAND RECORDS OF MARION COUNTY, IN WHICH EVENT THE PROVISIONS ABOVE SET FORTH FOR RENEWALS SHALL BE NULL AND VOID.

11. 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.

WITNESS MY SIGNATURE AND CORPORATE SEAL THIS 15th DAY OF March 1957.

KESSLER ESTATES REALTY CORPORATION

BY Edward L. Anderson
Edward L. ANDERSON, PRESIDENT.

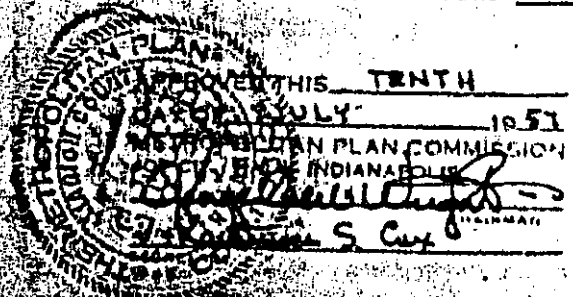
ATTEST Mary D. Lawson
MARY D. LAWSON, SECRETARY

STATE OF INDIANA:
SS:
COUNTY OF MARION:

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, APPEARED KESSLER ESTATES REALTY CORPORATION BY EDWARD L. ANDERSON, ITS PRESIDENT, AND MARY D. LAWSON, ITS SECRETARY, WHO ACKNOWLEDGED THAT THEY WERE AUTHORIZED TO AND THAT THEY DID EXECUTE THE FOREGOING INSTRUMENT FOR AND ON BEHALF OF SAID CORPORATION AND AS ITS VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES HEREIN PROVIDED
WITNESS MY HAND AND SEAL THIS 15th DAY OF March 1957.

MY COMMISSION EXPIRES SEPTEMBER 17, 1961

NOTARY PUBLIC Bernard Stoykan
BERNARD STOYKAN



PUBLIC NOTICE WAS GIVEN ON THE 29th DAY OF JUNE, 1957

