

Lake Hart Subdivision
Morgan Co.

PLAT RECORD

BOOK NO. 150

beginning, containing 9.40 acres, more or less.

The widths of the Streets, Roads, Drives, size and dimensions of the lots are marked on this plat in figures denoting feet and decimal parts thereof. Angles are marked in degrees and minutes.

This subdivision contains 260 lots numbered consecutively from 1 to 260, both inclusive.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, this 27th day of July, 1951.

Seal

(Signed) David H. Harker Registered Engineer, No. 1485
David H. Harker

The undersigned, Maurice Hart and June Etta Hart, husband and wife, owners, hereby certify that they do hereby lay off, plat and subdivide into lots in accordance with the above plat the real estate described in the foregoing Certificate to be known as Lake Hart Subdivision.

The undersigned owners hereby establish the following restrictions, provisions and conditions as part of said Plat and subdivision, to-wit:

1. All roadways, streets, drives, passways and freeways (said freeways being designated as Lots 5, 41, 100, 125 and 165 on said plat), as shown on said plat, are hereby dedicated to the public and are for the use of the owners of the lots in said subdivision.

2. All of said lots are subject to an easement in favor of Morgan County Rural Electric Membership Corporation, and there is hereby reserved the right of said Corporation to install and maintain poles, lines, wires, subject to the proper civil authorities. Buyers shall take their titles subject to the rights of such easement.

3. All lots in this subdivision are sold with the agreement of the buyers of such lots that they will abide by the rules and regulations of the ownership and management of said Lake Hart, as made and amended from time to time, in all matters pertaining to the operation of the Lake, roads, streets, passways, freeways, sewage disposal, building or other restrictions, motor operation, fishing, swimming and any and all matters whether mentioned herein or not, which will affect the eventual happiness and welfare of the owners of said lots.

4. Such rules and regulations of the ownership and management of Lake Hart shall be posted in the office of the Lake Management on the ground or sent direct to the lot owners.

5. As a further consideration the several grantees hereby agree to the following restrictions which are to govern said Lake Hart Subdivision and which shall run with the land.

(a) All ingress and egress shall be through the main gate of the subdivision.

(b) No lot shall be used except for residential purposes; no mercantile or business establishments of any kind or character shall be erected, altered, placed or permitted to remain on any of said lots.

(c) All cottages or dwellings shall have at least 200 square feet of floor space, exclusive of basement, garage floors and porches, and shall be of solid masonry or concrete foundation with recognized standard frame or masonry construction; the exterior shall be of standard material.

(d) No dwellings shall be built nearer than 15 feet of the shore line or front property line of any lot, including porches, or nearer than 5 feet to the side property line of any adjacent owner. Owners of lots fronting on the lake shall maintain the shore line adjacent thereto.

(e) All waste from bath rooms, sinks, laundry tubs shall be treated through septic tanks or grease traps and filtered into the soil in such a manner as to eliminate odors. In the event outside toilets are constructed or used on said lots, the owner thereof, shall at all times, when installing septic tank or outside toilet, comply with the regulations of the Indiana State Board of Health or other proper Municipal or State authority.

(f) No dumping of refuse, garbage or tin cans will be permitted.

(g) No trailer or other portable device, garage or outbuilding shall be erected or used as

a residence, except for temporary housing during the construction of buildings on the premises, and only for a reasonable time for construction.

(h) No lot owner shall permit poultry or live-stock of any kind to be quartered upon said lots, except household pets.

(i) Use firearms, hunting or firearm target practice is hereby prohibited.

(j) Ownership of any lot entitles the owner, members of his family, invited guest to the free use of the lake roads, drives, pathways, freeways and grounds in said subdivision, or elsewhere as designated by the owner and Lake Management, for fishing, boating, picnicking and recreation, subject to the rules and regulations of the owner and Lake Management for the proper use thereof in the best interests of the Lot Owners.

(k) Each owner is entitled to place one boat only upon said Lake, provided however, the same shall not be powered with a motor in excess of 2½ horsepower; and the waters of said Lake and the use thereof shall be governed by the Indiana Department of Conservation.

(l) Neither the Owner, the Lake Management, nor Lake Hart Development Co., or any member thereof, their officers, agents, servants, employees, successors or assigns shall be held to answer in damages for any act or occurrence on or off the grounds, or in or out of the waters of Lake Hart.

(m) The owners reserve the right to make reasonable rules and regulations for the conduct and behavior of persons permitted upon said Lake, it being agreed and understood that this provision is for a license only, which may be revoked by the owners of said Lake for failure to obey such rules and regulations.

(n) The right to enforce these provisions and conditions by injunction, together with the right to cause removal by due process of law any structure erected or maintained in violation of any of the above provisions and conditions is hereby dedicated to the Owners and/or the Lake Management.

In Witness Whereof, we have hereunto set our hands, this 27th day of July, 1951

(Signed) Maurice Hart
Maurice Hart

(Signed) June Etta Hart
June Etta Hart

STATE OF INDIANA, MORGAN COUNTY, SS:

Personally appeared before me, the undersigned, a Notary Public, in and for said County and State, Maurice Hart and June Etta Hart husband and wife, and acknowledged the execution of the above and foregoing Certificate as their free voluntary act and deed and for the uses and purposes therein mentioned and described.

In Witness Whereof, I have hereunto set my hand and official seal, this 27th day of July

1951

Seal

(Signed) Pauline Byrum Notary Public
Pauline Byrum

My Commission Expires:

July 2, 1955

July 27th, 1951

The Board of Commissioners of the County of Morgan, hereby certify that on 27th day of July 1951, the within plat of Lake Hart Subdivision was examined and the same is hereby approved and entitled to record.

Commissioners Court, Morgan County, Ind.

(Signed) Charles J. Baker
Charles J. Baker

(Signed) Luther Abel
Luther Abel

(Signed) J. Everett Hadley
J. Everett Hadley

The Board of Commissioners of the County of Morgan,

DEED RECORD

Wit: James B. Davis, Auditor of Morgan County, Indiana.

Witnessed the 1st day of August A. D., 1951, at 9:00 O'Clock A. M.

W. J. P. [Signature]
Recorder of Morgan County

For Plat See Page 501

2423

WARRANTY DEED

This Indenture Witnesseth, That Maurice Hart and June Etta Hart, husband and wife, of Morgan County, in the State of Indiana, CONVEY and WARRANT to Lakehart Development Co., a partnership of Morgan County, in the State of Indiana, for and in consideration of One Dollar and other valuable considerations the receipt whereof is hereby acknowledged, the following

1. described REAL ESTATE in Morgan County in the State of Indiana, to wit:-

both
Lot: 3 and 4; 6 to 16/inclusive; 20 to 40 both inclusive; 42 to 99 both inclusive; 101 to 124 both inclusive; 126 to 164 both inclusive; 166 to 260 both inclusive; all in Lake Hart Subdivision of a Part of the Northwest quarter of Section 16, Township 13 North Range 1 East, as per plat thereof, recorded in the Recorder's office of Morgan County, Indiana, in Deed Record 130 page 496.

Subject to Taxes for the year 1951 payable in 1952.

This deed is executed in exchange for a one-third interest in the assets of Lakehart Development Co., a partnership, and as contribution to the capital of said partnership, agreement dated October 30, 1950, and Certificate of Partnership pursuant to partnership/recorded in Partnership Record No. 1 page 120 of, the Recorder's Office of Morgan County, Indiana.

That said grantors do hereby represent and state that they are each citizens of the United States of America, and that said citizenship has existed continuously since prior to April 8, 1940; that they have been domiciled and residing continuously within the United States since prior to April 8, 1940; that they are not acting directly or indirectly in any capacity whatsoever for any foreign country or national thereof; that there is no one other than above grantor(s) who has (have) had any proprietary right, title or interest in the above described real estate, either directly or indirectly, since April 8, 1940; that these representations and statements are made to induce the acceptance of this deed of conveyance.

IN WITNESS WHEREOF, The said Maurice Hart and June Etta Hart, husband and wife, have hereunto set their hands and seals this 28th day of July A. D., 1951.

NO REVENUE	(Signed) Maurice Hart Maurice Hart	(Seal)
	(Signed) June Etta Hart June Etta Hart	(Seal)

State of Indiana, Morgan County, as:

Before me, the undersigned, a Notary Public, in and for said County and State, this 28th day of July, A. D., 1951, personally appeared the within named Maurice Hart and June Etta Hart, husband and wife, grantors in the above conveyance, and acknowledged the same to be their voluntary act and deed, for the uses and purposes herein mentioned.

In Witness Whereof, I have hereunto subscribed my name and affixed my official seal.

SEAL (Signed) Pauline Byrum Notary Public.
Pauline Byrum

My Commission expires July 2, 1955

Recorded the 13th day of August, 1951, at 9:10 o'clock A. M.

DEED RECORD

Lots Number Five (5), Forty-one (41), One Hundred (100), One Hundred Twenty-five (125) and One Hundred Sixty-five (165) all in Lakehart Subdivision of a part of the Northwest quarter of Section 16, Township 13 North, Range 1 East, as per plat thereof recorded in the recorder's office of Morgan County, Indiana, in Deed Record No. 130, page 496.

This deed is executed for the purpose of vesting title to the above described real estate in said grantee, a partnership, and as a contribution to the capital of said partnership pursuant to partnership agreement dated October 30, 1950, a Certificate of which is recorded in Partnership Record No. 1, page 170, of the Recorder's Office of Morgan County, Indiana.

That said grantors do hereby represent and state that they are each citizens of the United States of America, and that said citizenship has existed continuously since prior to April 8, 1940; that they have been domiciled and residing continuously within the United States since prior to April 8, 1940; that they are not acting directly or indirectly in any capacity whatsoever for any foreign country or national thereof; that there is no one other than above grantor(s) who has (have) had any proprietary right, title or interest in the above described real estate, either directly or indirectly, since April 8, 1940; that these representations and statements are made to induce the acceptance of this deed of conveyance.

IN WITNESS WHEREOF, The said Maurice Hart and June Etta Hart, husband and wife, have hereunto set their hands and seals this 23rd day of August A. D., 1952.

(Signed) Maurice Hart
Maurice Hart (SEAL)

NO REVENUE (Signed) June Etta Hart
June Etta Hart (SEAL)

State of Indiana, Morgan County, ss:

Before me, the undersigned, a Notary Public, 1r. and for said County and State, this 23rd day of August, A. D., 1952, personally appeared the within named Maurice Hart and June Etta Hart, husband and wife, Grantors in the above conveyance, and acknowledged the same to be their voluntary act and deed, for the uses and purposes herein mentioned.

In Witness Whereof, I have hereunto subscribed my name and affixed my official seal.
(Signed) Helen Edwards, Notary Public
Helen Edwards

SEAL

My Commission expires Feb. 16, 1956.

Recorded the 23rd day of August A. D., 1952, at 11:45 o'clock A. M.

Lucia P. ...
Recorder of Morgan County

3799

AMENDMENT TO PLAT.

WHEREAS, Maurice Hart and June Etta Hart did, on July 27, 1951, execute a Plat of Lakehart Subdivision a part of the Northwest quarter of Section 16, Township 13 North, Range 1 East, which said Plat was duly recorded in the Office of the Recorder of Morgan County, Indiana, August 1, 1951, in Deed Record No. 130, page 496; and,

WHEREAS, said owners did establish certain restrictions, provisions and conditions as a part of said Plat and Subdivision; and,

WHEREAS, an error was made in the lots designated as freeways;

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That Paragraph 1 of said restrictions, provisions and conditions is hereby amended to read as follows:

"1. All roadways, streets, drives, passways and freeways (said freeways being designated as Lots 5, 41, 100, 126 and 166 on said Plat), as shown on said Plat are hereby dedicated to

the public and are for the use of the owners of the lots in said subdivision."

The Recorder of Morgan County, Indiana, is hereby authorized to note this Amendment upon the Deed Record and page where said original Plat of said Lakehart Subdivision is recorded.

IN WITNESS WHEREOF, said owners have hereunto set their hands, this 23rd day of August, 1952.

(Signed) Maurice Hart
Maurice Hart

(Signed) June Etta Hart
June Etta Hart

STATE OF INDIANA
MORGAN COUNTY, SS:

Personally appeared before me, the undersigned, a Notary Public in and for said Count and State, Maurice Hart and June Etta Hart, husband and wife, and acknowledged the executio of the above and foregoing Certificate of Amendment to Lakehart Subdivision as their free voluntary act and deed and for the uses and purposes therein mentioned and described.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, this 23rd day of August, 1952.

(Signed) Helen Edwards
Helen Edwards, Notary Public.

SEAL

My commission expires: Feb. 16, 1956.

Recorded the 23rd day of August A. D., 1952, at 11:50 o'clock A. M.

3800

WARRANTY DEED

This Indenture Witnesseth, That Frank McConaughy, unmarried of Johnson County, and State of Indiana CONVEY AND WARRANT to Swanson Murray and Vernia Murray, husband and wife of Morgan County, in the State of Indiana for the sum of Five Hundred (\$500.00) Dollars, the receipt of which is hereby acknowledged, the following REAL ESTATE, in Morgan County, in the State of Indiana, to wit:-

A part of the south half of the northwest quarter of the northwest quarter of Sectio Thirty-three (33), Township Twelve (12) North, Range Two (2) East of the second principal meridian, particularly described as follows:

Beginning at a stake two (2) chains south of the northwest corner of the south half the northwest quarter of the northwest quarter of Section thirty-three (33) township twelve (12) north, range two (2) east of the second principal meridian; thence east on a line parallel with the north line of said south half of said quarter-quarter section a distance of Fifteen and ninety-five hundredths (15.95) chains to the center line of the County high way; thence south twenty-eight (28) degrees west over the center line of said highway a distance of Two and twenty-five hundredths (2.25) chains; thence west parallel with the no line of said tract a distance of Fourteen and seventy-seven hundredths (14.77) chains to a stake on the west line of said section 33; thence north over said line a distance of two (2) chains to the place of beginning, containing Three and seven hundredths (3.07) acres, more or less, subject to one-half ($\frac{1}{2}$) of the established right-of-way of the County Highway abutting said described parcel of land on the east thereof.

This conveyance is subject to all taxes heretofore levied against the real estate described herein and all subsequent taxes.

Helen Edwards
Recorder of Morgan County