



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



COVENANTS AND RESTRICTIONS

LAPPIN WAY

(Marion 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.

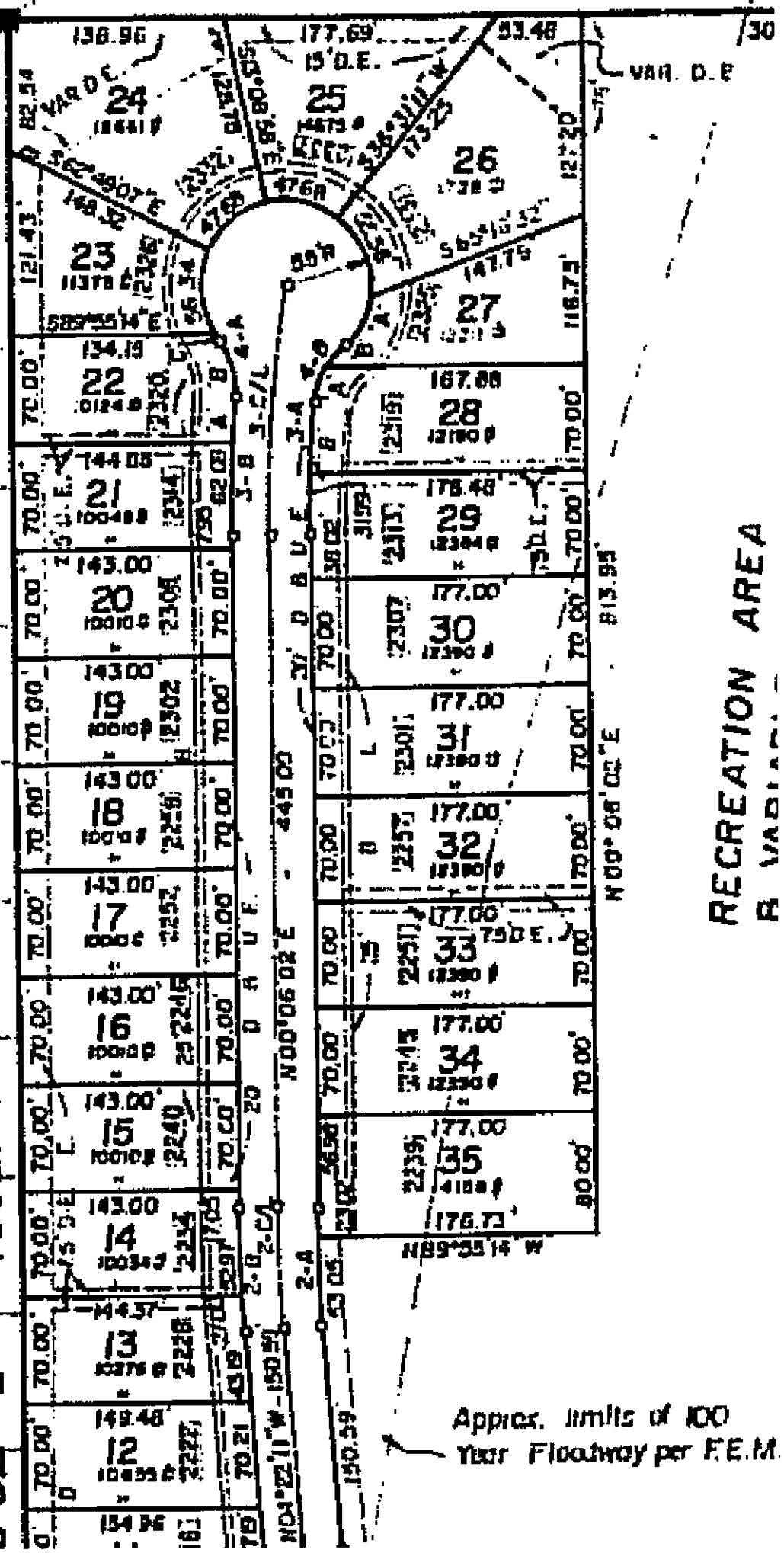
The most current and up-to-date copies of Covenants, Restrictions or other Data relative to any property should be obtained from the current governing body of the Subdivision (generally the Home Owner's Association) if applicable. Chicago Title makes NO representations or warranties with respect to any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

DOS-8-19-09

JUSTUS COUNTRY CLUB ESTATES, SECTION TWO
 INSTRUMENT NUMBER 65-30514

64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

6'02" E - 1892.97'



RECREATION AREA
 APPROX. LIMITS OF 100
 YEAR FLOODWAY PER F.E.M.

INSTRUMENT NUMBER 65-30535

38	N 00° 06' 02" E									
37										
36										
35										
34										
33										
32										
31										
30										
29										
28										

COURT - 50' R/W

B. LAPPIN

Approx. limits of 100 Year Floodway per F.E.M.A

BLOCK "A"

RECREATION AREA
& VARIABLE D.E.

CA EX 15

12' D.S.U.E

855.96

200 5 11 E

N 00° 06' 02" E

102.00'

102.00'

N 80° 55' 14" E
441.18

N 18° 14' 46" E
583.30'

70' DEDICATED 1/2 RIGHT-OF-WAY

LAPPIN WAY

RECORD PLAT



SCALE 1" = 100'



FINAL APPROVAL PLAT COMMITTEE METROPOLITAN DEVELOPMENT COMMISSION DIVISION OF DEVELOPMENT SERVICES MARION COUNTY, INDIANA 7-6-94
PROPER PUBLIC NOTICE OF THE HEARING HAS BEEN FURNISHED [Signature]
[Signature]
[Signature]

VOID UNLESS RECORDED
BEFORE 1-8-94



1/4" x 3/8" brass monument
to be set at each corner
of each with finish grade at all boundary
corners (where physically possible) within sixty
days after the recording of this plat

1/4" iron (or copper) rod if within pavement
to be set at street corner points within
thirty (30) days after the completion of
road construction.

Indicate typical property address.

I, the undersigned Registered Land Surveyor, do hereby certify that I am a Registered Land Surveyor, licensed in compliance with the laws of the State of Indiana and that I have conducted a survey under my direct supervision and to the best of my professional knowledge, information and belief this plat is an accurate representation of that survey and that all monuments shown thereon actually exist; and that all other requirements specified herein, done by me, have been met; and that the real estate is described as follows:

A part of the Southeast 1/4 of Section 28, Township 14 North, Range 3 East in Marion Township, Marion County, Indiana; said part being more particularly described as follows:

Commence at a railroad spike marking the Southwest corner of said Southeast 1/4; thence South 49 degrees 55 minutes 14 seconds East along the South line of said Southeast 1/4 a distance of 166.85 feet to the Southeast corner of "Justice Country Club Estates", Section One per Instrument Number 65-10515 in the office of the Recorder of Marion County, Indiana and being the POINT OF BEGINNING of this description; thence North 00 degrees 46 minutes 03 seconds East along the East line of said "Justice Country Club Estates", Section One and along the East line of "Justice Country Club Estates", Section Two, per Instrument Number 65-10516 in the office of said Recorder and being parallel with the West line of said Southeast 1/4 a distance of 1892.97 feet to the Southerly right-of-way line of Interstate 70 per Instrument Number 67-11761 in the office of said Recorder; thence North 88 degrees 12 minutes 54 seconds East along said Southerly right-of-way line a distance of 671.48 feet to the East line of the West 1/4 of said Southeast 1/4; thence South 02 degrees 11 minutes 48 seconds West along said East line a distance of 1910.97 feet to the South line of said Southeast 1/4; thence North 89 degrees 55 minutes 14 seconds West along said South line a distance of 470.01 feet to the point of beginning. Containing 24.135 acres, more or less. Subject, however, to all legal highways, rights-of-way, easements and restrictions of record.

This said estate consists of 15 lots numbered 1 thru 15 and block A inclusive. The dimensions are shown in feet and decimal parts thereof.

I further certify that to the best of my professional knowledge, information and belief this said plat contains no changes from the matters of survey revealed in the survey recorded as Instrument No. 18076599 in the office of the Recorder of Marion County, Indiana, except as listed as follows:

VERTICED: November 14, 1991
 REVISED: DEC 9, 1991
 REVISED: MARCH 15, 1992
 RECORDED: JANUARY 29, 1993
 RECORDED: FEBRUARY 24, 1993
 PER A 8-76 STREET CURVE DATA

[Signature]
 Ronald L. Nolan, Registered
 Land Surveyor, 50439

1. the undersigned Wendell Lappin, owner of the described real estate do hereby lay off, plat and subdivide the same into lots and streets in accordance with the within plat. The within plat shall be known and designated as LAPPIN WAY, an addition in Marion County, Indiana.

1. All streets shown and not heretofore dedicated are hereby dedicated to the public.
2. Front building lines are established as shown on this plat between which lines and the right-of-way lines of the street no structure shall be erected or maintained. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations two (2) and six (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 twenty- five (25) feet from the intersection of said street lines, or in the case of a rounded corner, from the intersection of the street lines extended. The same sightline limitations shall apply to any lot within ten (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 intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.
3. MINIMUM LIVING SPACE AREAS. The minimum square footage of living space of dwellings constructed on various residential lots in the Development, exclusive of porches, terraces, garages, carports, accessory buildings, or basements below ground level shall contain no less than 1200 square feet of minimum ground floor area if higher than one-story, provided higher than one story structures shall have a minimum of 1600 square feet of total living area, and each dwelling shall have a two car attached garage. All driveways shall be paved with concrete.
4. Also, this plat shall be subject to the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LAPPIN WAY recorded as Instrument _____ in the Office of the Recorder of Marion County, Indiana.
5. There is hereby created by the within plat an area labeled Block A, and within said area there shall be constructed a lake. No boat or floating device shall be permitted to be operated by a motorized device on said lake. Said lake and users thereof shall be subject to further conditions and

4. ALSO, THIS PLAN SHALL BE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LAPPIN WAY recorded as Instrument _____ in the Office of the Recorder of Marion County, Indiana.

5. There is hereby created by the within plat an area labeled Block A, and within said area there shall be constructed a lake. No boat or floating device shall be permitted to be operated by a motorized device on said lake. Said lake and users thereof shall be subject to further conditions and restrictions as established by the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LAPPIN WAY referenced in covenant number 4 herein.

6. It shall be the responsibility of the owner of any lot or parcel of land within the area of this plat to comply at all times with the provisions of the drainage plan as approved for this plat by the Department of Public Works of the City of Indianapolis and the requirements of all drainage permits for this plat issued by said Department.

7. No solar home, trailer, tent, shack, garage, barn or other outbuildings shall be used for temporary or permanent residential purposes on any lot in the subdivision. No dog kennel, junk yard, or commercial business of any kind will be permitted in the subdivision.

8. All residential construction on any lot must be completed within one (1) year after the starting date, including final grading.

9. No inoperative or unlicensed vehicle shall be parked on or repaired on any lot or on the driveway thereof. No camper, trailer, mobile home, boat, truck, school bus or other vehicle of any kind may be parked in the Detachment unless such vehicle is kept in the garage, except for personal automobiles, vans, and pick-up trucks.

10. No noxious or offensive trade shall be permitted upon any lot in this subdivision nor shall anything be done thereon which may become a nuisance or annoyance to the neighborhood. No refuse will be maintained on any lot. Garbage and trash shall be kept in containers which are not visible from the street, except on collection day.

11. There are strips of property as shown on the recorded plat which are hereby designated and reserved for use of the public utility for the installation and maintenance of utility and drainage facilities (hereinafter referred to as utility easements.) No permanent or other structure or obstruction shall be erected or maintained on such utility easement, but each owner shall take title to that part of the utility easement comprising a part of his lot, subject to the rights of such public utility for ingress and egress in and along, across, through and over the utility easement.

12. 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 they are not kept, bred or maintained for any commercial purposes. Any animal so kept shall not be permitted to roam at large within the subdivision and shall be confined to the owner's premises.
13. No building or structure shall be located on any lot nearer to the front line or nearer the side line than the minimum building setback shown on the recorded plat.
14. All sanitary sewage lines on the residential building lots shall be designed and constructed in accordance with the provisions and requirements of the Metropolitan Department of Public Works. Copies of all permits, plans and designs relating to construction of sanitary sewer service shall be submitted in duplicate to the Committee at the time of the submission of all other plans or documents required for the obtaining from said Committee of a permit to build.
15. No prefabricated, or concrete houses will be permitted upon any lot in this subdivision.
16. All building plans and site plans must be approved by the LAPPIS WAY DEVELOPMENT CONTROL COMMITTEE or their assigns prior to starting construction, additions or alterations. Each site plan shall include a minimum of 1 tree, of an approved species, in the front yard of 2 inches diameter (minimum), and one "photo-cell" type dusk to dawn yard light. Such approval or disapproval will be provided in writing within 15 days of the request.
17. Outbuildings shall be constructed of new materials and be similar in appearance with the residence on the lot on which the outbuilding is being built. Metal outbuildings shall not be permitted in any event.
18. All communication antennas shall be placed indoors and out of view. Communication devices for transmissions are not allowed.
19. Any attachments or free-standing devices for communications, solar technology or other purposes must be approved by the Home Owners Association Committee.
20. All lots on which construction has not begun must be mowed and maintained by the lot owner to the satisfaction of the Homeowners Association or its assigns. After construction, the structure and grounds of each lot and common areas shall be maintained in a neat and attractive manner.
21. Only in-ground pools will be permitted.
22. FENCES, LIGHT FIXTURES, MAILBOXES. In order to preserve the natural quality and aesthetic appearance of the existing geographic areas within the Development, any fence, light fixture or mailbox must be approved by the Committee as to size, location, height and composition before it may be installed. Fencing shall not exceed six feet (6') in height, and no fence may be placed closer to the front lot line than the front building setback line.
23. The additional requirements of zoning classification D-1 are also a part of the covenants and restrictions and are

be maintained in a neat and attractive manner.

21. Only in-ground pools will be permitted.
 22. FENCES, LIGHT FIXTURES, MAILBOXES. In order to preserve the natural quality and aesthetic appearance of the existing geographic area within the Development, any fence, light fixture or mailbox must be approved by the Committee as to size, location, height and composition before it may be installed. Fencing shall not exceed six feet (6') in height, and no fence may be placed closer to the front lot line than the front building setback line.
 23. The additional requirements of zoning classification D-1 are also a part of the covenants and restrictions and are incorporated herein by reference.
 24. Each lot owner will be required to join the Homeowners Association for the purposes outlined in the Homeowners Association By-laws.
 25. All homes in this subdivision will be built by custom builders approved by the Developer/owner.
 26. Every one of the Restrictions is hereby declared to be independent of, and severable from the rest of the Restrictions and of and from every combination of the Restrictions.
 27. Therefore, if any of the Restrictions shall be held to be invalid or to be unenforceable, or to lack the quality of running with the land, that holding shall be without effect upon the validity, enforceability or "running" quality of any other one of the Restrictions.
 28. The Metropolitan Development Commission, its successors and assigns, shall have no right, power or authority, to enforce any covenants, commitments, restrictions or other limitations contained in this plat other than those covenants, commitments, restrictions or limitations that expressly run in favor of the Metropolitan Development Commission; provided further, that nothing herein shall be construed to prevent the Metropolitan Development Commission from enforcing any provisions of the subdivision control ordinance SA-AO-1, as amended, or any other conditions attached to approval of this plat by the Plat Committee.
 29. The foregoing covenants, conditions and restrictions are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 2015, at which time said covenants, conditions, and restrictions shall be automatically extended for successive periods of ten (10) years, unless changes in whole or in part by vote of those persons who are then the Owners of a majority of the numbered lots in the Development.
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The within and before, Wendell Lippin, being lawfully sworn, who states that he has
to be returned to us 21 day of June 1952.

Wendell Lippin
WENDELL LIPPIN

STATE OF INDIANA)
) SS:
) COUNTY OF MADISON)

I, Shirley C. Link, a Notary Public, do hereby certify that for
said County and State personally appeared Wendell Lippin and who
acknowledged the execution of the above foregoing instrument as his
own voluntary act and deed.

In witness whereof, I have hereunto set my hand and notarial seal this 21st day of June 1952.

Shirley C. Link
NOTARY PUBLIC Shirley C. Link
My commission expires 12/25/54

20251039

06/15/93

06/15/93

2006101002

06/15/93

APPROVED THIS _____ DAY OF _____
ASSESSOR OF WARREN TOWNSHIP



<p>FINAL APPROVAL PLAT COMMITTEE METROPOLITAN DEVELOPMENT COMMISSION DIVISION OF DEVELOPMENT SERVICES MARION COUNTY, INDIANA</p> <p>7-6-93</p>
<p>PROPER PUBLIC NOTICE OF THE HEARING HAS BEEN PUBLISHED</p> <p><i>James J. Lintz</i></p>
<p><i>[Signature]</i></p>

VOID UNLESS RECORDED
BEFORE 1-8-94