

ENTERED FOR RECORD

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Mary Margaret Parker
RECORDER, HENDRICKS COUNTY

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"MARE'S MEADOWS" RESTRICTIVE COVENANTS

THE UNDERSIGNED, FLOYD D. TRISCHLER AND GLORIA N. TRISCHLER, HUSBAND AND WIFE, AS OWNERS AND PROPRIETORS OF "MARE'S MEADOWS" LOCATED IN GUILFORD TOWNSHIP, HENDRICKS COUNTY, INDIANA DO HEREBY THIS INDENTURE, RESTRICT AND COVENANT THE LOTS AND OTHER AREA WITHIN THE BOUNDARIES IN SAID SUBDIVISION TO THEMSELVES AND THEIR GRANTEEES, ASSIGNS, SUCCESSORS, HEIRS, OR LEGAL REPRESENTATIVES, AND TO ANY PERSON, PERSONS, CORPORATIONS, BANKS AND ASSOCIATIONS AND/OR ANYONE WHO MAY OBTAIN TITLE TO SAID LOTS AS TO THE FOLLOWING TERMS, STIPULATIONS, CONDITIONS RESTRICTIONS, AND COVENANTS TO-WIT:

- (1) FULLY PROTECTIVE RESIDENTIAL AREA: THE FOLLOWING COVENANTS, IN THEIR ENTIRETY SHALL APPLY TO ALL "MARE'S MEADOWS". SAID SUBDIVISION BEING LOCATED IN GUILFORD TOWNSHIP, HENDRICKS COUNTY, INDIANA.
- (2) LAND AND BUILDING TYPE: NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES, NOR SHALL ANY LOT BE SUBDIVIDED. NO BUILDING SHALL BE ERRECTED, ALTERED, PLACED, OR PERMITTED TO REMAIN ON ANY LOT OTHER THEN ONE SINGLE FAMILY DWELLING NOT TO EXCEED TWO STORIES IN HEIGHT AND A PRIVATE ATTACHED GARAGE. IN THE EVENT THE PURCHASER SHOULD BUY TWO LOTS WITH THE PURPOSE OF BUILDING ONE SINGLE FAMILY DWELLING ACROSS THE CENTER LOT LINE, THE LOT LINE RESTRICTIONS SHALL NOT APPLY TO THE BOUNDARY LINES DIVIDING ANY TWO SAID LOTS.
- (3) DWELLING SIZE: THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE ON ONE STORY PORCHES AND GARAGES SHALL NOT BE LESS THAN 1500 SQUARE FEET IN THE CASE OF A ONE STORY STRUCTURE, NOR LESS THAN 900 SQUARE FEET IN THE CASE OF A MULTIPLE STORY STRUCTURE, WITH NO LESS THAN 1700 SQUARE FEET OF FINISHED FLOOR AREA IN SUCH MULTIPLE STORY STRUCTURE.
- (4) ARCHITECTURAL DESIGN AND ENVIRONMENTAL CONTROL: NO BUILDING, FENCE, WALL, OR OTHER STRUCTURE SHALL BE ERRECTED, PLACED AND ALTERED ON ANY BUILDING PLOT IN THIS SUBDIVISION UNTIL THE BUILDING PLANS, SPECIFICATIONS AND

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PLOT PLAN SHOWING THE LOCATION OF SUCH STRUCTURES HAVE BEEN APPROVED AS TO THE CONFORMITY AND HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURE HEREIN AND AS TO THE BUILDING WITH RESPECT TO TOPOGRAPHY AND FINISHED GROUND ELEVATIONS BY AN ARCHITECTURAL AND ENVIRONMENTAL CONTROL COMMITTEE. ALSO THE PROPOSED LOCATION OF WELLS, SEPTIC SYSTEMS, DESTRUCTION OF TREES AND VEGETATION AND ANY OTHER SUCH MATTER AS MAY AFFECT THE ENVIRONMENT AND ECOLOGY OF THE "MARE'S MEADOWS" AREA SHALL BE THE PROPER CONCERN OF THE COMMITTEE. THIS COMMITTEE SHALL BE COMPOSED OF THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED REAL ESTATE, OR BY THEIR DULY AUTHORIZED REPRESENTATIVES. IN THE EVENT OF THE DEATH OR RESIGNATION OF ANY MEMBER OF SAID COMMITTEE, THE REMAINING MEMBER OR MEMBERS SHALL HAVE FULL AUTHORITY TO APPROVE OR DISAPPROVE SUCH DESIGN AND LOCATIONS, OR TO DESIGNATE A REPRESENTATIVE WITH LIKE AUTHORITY. THE COMMITTEE'S APPROVAL, OR DISAPPROVAL, AS REQUIRED IN THIS COVENANT SHALL BE IN WRITING. IN THE EVENT THAT SAID WRITTEN APPROVAL IS NOT RECEIVED FROM THE COMMITTEE WITHIN 14 DAYS FROM THE DATE OF SUBMISSION, IT SHALL BE DEEMED THAT THE COMMITTEE HAS DISAPPROVED THE PRESENTED PLAN. NEITHER THE COMMITTEE MEMBERS NOR THE DESIGNATED REPRESENTATIVES SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT.

- (5) BUILDING CONSTRUCTION: ANY BUILDING, ONCE APPROVED AND UNDER CONSTRUCTION MUST BE COMPLETED WITHIN ONE (1) YEAR FROM THE TIME CONSTRUCTION WAS STARTED. NO BUILDING SHALL BE ON ANY LOT NEARER TO THE FRONT OR SIDE PROPERTY LINE THAN THE MINIMUM BUILDING SET-BACK LINES, AS SHOWN ON THE RECORDED PLAT.
- (6) DRAINAGE AND UTILITY EASEMENTS: THE STRIPS OF GROUND MARKED DRAINAGE AND UTILITY EASEMENTS ARE HEREBY RESERVED FOR THE USE OF PUBLIC UTILITIES, NOT INCLUDING TRANSPORTATION COMPANIES. FOR INSTALLATION AND MAINTENANCE OF POLES, MAINS, DUCTS, LINES AND WIRES AND SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND TO THE EASEMENTS HEREIN GRANTED AND RESERVED.

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THESE EASEMENTS ARE NOT FOR THE USE OF AND SHALL NOT BE USED FOR HIGH VOLTAGE ELECTRIC TRANSMISSION LINES OR HIGH PRESSURE LIQUID TRANSMISSION PIPE LINES, EXCEPT BY WRITTEN PERMISSION OF THE OWNER OF THE LAND AT THE TIME SAID TRANSMISSION LINE IS TO BE CONSTRUCTED. THE DRAINAGE EASEMENTS MAY BE USED BY THE PROPER AUTHORITIES INCLUDING THE HENDRICKS COUNTY DITCH BOARD OR BY ANY OF THE SEVERAL OWNERS OF THIS SUBDIVISION OR ANY OTHER SECTIONS OF THIS SUBDIVISION FOR THE INSTALLATION AND THE MAINTENANCES OR EITHER SURFACE OR SUBSURFACE DRAINAGE. TO ACCOMPLISH SAID DRAINAGE, THE EXISTING GRADE OF SAID EASEMENT MAY BE ALTERED TO ANY GRADE NECESSARY. IN NO SITUATION SHALL ANY OWNER BLOCK THE DRAINAGE IN ANY MANNER ALONG SAID DRAINAGE SWALES. THIS COVENANT HEREBY GRANTS THE HENDRICKS COUNTY DITCH BOARD THE AUTHORITY TO ACCEPT ALL DRAINAGE AND UTILITY EASEMENTS FOR THE PURPOSES OF ESTABLISHING LEGAL DRAIN.

- (7) LANDSCAPING: ALL LOTS, WHETHER IMPROVED OR NOT, SHALL BE MOWED BY THE OWNER OF THE LOT OR THEIR DESIGNATED REPRESENTATIVE A MINIMUM OF ONCE DURING THE MONTHS OF APRIL THROUGH SEPTEMBER.
- (8) UTILITY BUILDING: A UTILITY BUILDING MAY BE CONSTRUCTED ON EACH LOT, IF APPROVED BY THE ARCHITECTURAL AND ENVIRONMENTAL CONTROL COMMITTEE. THIS UTILITY BUILDING IS TO BE CONSTRUCTED IN SUCH MANNER AS TO MEET THE STANDARDS OF CONSTRUCTION AS USED IN THE CONSTRUCTION OF THE HOUSE. THE UTILITY BUILDING SHALL BE LOCATED BEHIND THE MAIN DWELLING AND IN NO INSTANCE SHALL THE UTILITY BUILDING BE LOCATED IN FRONT OR AT THE SIDE OF THE MAIN DWELLING.
- (9) VEHICLE PARKING: NO VEHICLE SHALL BE ALLOWED TO PARK ON ANY STREET WITHIN SAID SUBDIVISION EXCEPT FOR A REASONABLE LENGTH OF TIME.
- (10) RECREATIONAL VEHICLES, BOATS AND NON-USED VEHICLES: ALL BOATS, NON-MOTORIZED RECREATIONAL VEHICLES AND NON-USED OR NON-OPERATIONAL VEHICLES SHALL BE KEPT IN EITHER THE DWELLING GARAGE, BASEMENT, OR UTILITY BUILDING, OR REASONABLY MAINTAINED IN BACK OF DWELLING.
- (11) BUSINESSES: NO MERCANTILE BUILDING SHALL BE ERECTED, BUILT, OR PLACED ON THE SAID DESCRIBED REAL ESTATE, NOR ANY BUSINESS OF ANY NATURE BE CARRIED ON IN A MANUFACTURING, WHOLESALING, OR RETAILING NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.
- (12) NUISANCES: NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED OUT ON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

- (13) TEMPORARY STRUCTURES: NO STRUCTURE OF A TEMPORARY CHARACTER, MOBILE HOME, BASEMENT, SHED, GARAGE, BARN OR OTHER OUTBUILDINGS SHALL BE USED UPON ANY LOT AT ANY TIME AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY. ALL DWELLINGS MUST BE FULLY COMPLETED UPON THE EXTERIOR BEFORE BEING OCCUPIED. 311
- (14) GARBAGE AND REFUSE DISPOSAL: NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH. TRASH, GARBAGE OR OTHER WASTES SHALL NOT BE KEPT EXCEPT IN SANITARY CONTAINERS. SAID GARBAGE, TRASH OR OTHER WASTE SHALL BE DISPOSED OF WEEKLY BY A REFUSE COLLECTION SERVICE, DESIGNATED BY THE ABOVE MENTIONED ARCHITECTURAL AND ENVIRONMENTAL CONTROL COMMITTEE OR A HOME OWNERS ORGANIZATION IF ESTABLISHED. NO BURNING OF ANY WASTE, INCLUDING LEAVES, SHALL BE ALLOWED EXCEPT BY AN INDOOR INCINERATOR APPROVED BY SAID COMMITTEE. ALL EQUIPMENT FOR THE STORAGE AND DISPOSAL OF RUBBISH SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION AND SHALL NOT BE SO USED AS TO CREATE AN OFFENSIVE SIGHT OR ODOR. THERE SHALL BE NO OUTSIDE STORAGE OR BURNING OF TRASH, GARBAGE OR OTHER WASTES FOR LOTS 32, 33, AND 34.
- (15) ANIMALS: NO ANIMALS, LIVESTOCK OR POULTRY SHALL BE RAISED, BRED OR KEPT UPON 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 PURPOSES.
- (16) SEWAGE DISPOSAL: NO INDIVIDUAL SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS SUCH SYSTEM IS DESIGNED, LOCATED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS STANDARDS AND RECOMMENDATIONS OF THE HENDRICKS COUNTY BOARD OF HEALTH. APPROVAL OF SUCH SYSTEM SHALL BE OBTAINED FROM SAID AUTHORITY.
- (17) WATER SUPPLY: NO INDIVIDUAL WATER SUPPLY SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS SUCH SYSTEM IS DESIGNED, LOCATED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS, STANDARDS AND RECOMMENDATIONS OF THE HENDRICKS COUNTY BOARD OF HEALTH. APPROVAL OF SUCH SYSTEMS SHALL BE OBTAINED FROM SAID AUTHORITY. IF, IN THE FUTURE, PUBLIC WATER FACILITIES ARE MADE AVAILABLE TO THE LOT OWNERS IN THIS SUBDIVISION, EACH OWNER THEREIN SHALL ATTACH TO SUCH FACILITIES WITHIN TWO (2) YEARS OF THE AVAILABILITY DATE. RIGHT OF ENFORCEMENT OF THIS COVENANT IS HEREBY GRANTED TO THE HENDRICKS COUNTY PLAN COMMISSION, ITS SUCCESSORS OR ASSIGNS.
- (18) SIGHT DISTANCE AT INTERSECTIONS: NO FENCE, WALL, HEDGE, OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN TWO AND SIX FEET ABOVE THE ROADWAYS, 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 THEM AT POINTS 25 FEET FROM THE INTERSECTIONS OF THE STREET LINE, OR IN CASE OF A ROUNDED PROPERTY CORNER, 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 A STREET PROPERTY LINE WITH THE EDGE OF A DRIVEWAY OR ALLEY PLACEMENT. NO TREES SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCE OF SUCH INTERSECTIONS UNLESS THE FOLIAGE LINE IS MAINTAINED AT A SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SUCH SIGHT LINES.
- (19) FENCES: NO FENCE SHALL BE ERECTED ON OR ALONG ANY LOT LINE, NOR ON ANY LOT, THE PURPOSE OR RESULT OF WHICH WILL BE TO OBSTRUCT REASONABLE VISION, LIGHT, OR AIR, AND ALL FENCES SHALL BE KEPT IN GOOD REPAIR AND ERECTED REASONABLY SO AS TO ENCLOSE THE PROPERTY AND DECORATE THE SAME WITHOUT HINDERANCE OR OBSTRUCTION TO ANY OTHER PROPERTY. NO FENCE SHALL BE ERECTED BETWEEN THE FRONT PROPERTY LINES AND THE BUILDING SET-BACK LINE OTHER THAN A FENCE OF A DECORATIVE NATURE NOT EXCEEDING THREE (3) FEET SIX (6) INCHES IN HEIGHT.
- (20) STORAGE TANKS: OIL OR GAS STORAGE TANKS SHALL BE EITHER BURIED OR LOCATED IN A HOUSE OR GARAGE AREA.
- (21) SIGNS: NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW UPON ANY LOT, EXCEPT THAT ONE SIGN OF NOT MORE THAN 5 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. EXCEPT THAT, ANY SIGN REQUIRED BY LAW MAY BE DISPLAYED.
- (22) HUNTING OR TRAPPING: NO HUNTING OR TRAPPING SHALL BE ALLOWED ON ANY LOT OR OTHER AREA WITHIN THE BOUNDARIES OF "MARE'S MEADOWS".
- (23) ENFORCEMENT: IF THE PARTIES HERETO, OR ANY OF THEM, THEIR HEIRS OR ASSIGNEES SHALL VIOLATE OR ATTEMPT TO VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR ANY PERSON, OR PERSONS OWNING ANY LOT OR LOTS IN SAID SUBDIVISION TO PROSECUTE BY ANY PROCEEDING AT LAW OR EQUITY THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT AND EITHER TO PREVENT HIM OR THEM FROM SO DOING OR TO RECOVER DAMAGES OR OTHER DUES FOR SUCH VIOLATION. A VIOLATION OF ANY RESTRICTION HEREIN WILL NOT RESULT IN REVERSION OR FORFEITURE OF TITLE.

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(24) TERM: THESE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM FOR A PERIOD OF 25 YEARS FROM THE DATE THAT THESE COVENANTS ARE RECORDED, AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS AN INSTRUMENT SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS HAS BEEN RECORDED AGREEING TO CHANGE SAID COVENANTS IN WHOLE OR PART.

(25) SEVERABILITY: INVALIDATION OF ANY ONE OF THESE COVENANTS, BY COURT ORDER, SHALL IN NO WAYS, AFFECT ANY OF THE OTHER PROVISIONS, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF: THE SAID PARTY AS OWNERS AND PROPRIETORS OF THE ABOVE DESCRIBED SUBDIVISION HAS HEREUNTO SET THEIR HANDS AND SEALS THIS 5th DAY OF November, 1973.

Floyd D. Trischler
FLOYD D. TRISCHLER

Gloria N. Trischler
GLORIA N. TRISCHLER

STATE OF INDIANA)
) SS
COUNTY OF HENDRICKS)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED FLOYD D. TRISCHLER AND GLORIA N. TRISCHLER, HUSBAND AND WIFE, AND ACKNOWLEDGED THE EXECUTION OF THE ABOVE AND FOREGOING PROTECTIVE COVENANTS AS THEIR VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND SEAL, THIS 5th DAY OF November, 1973.

MY COMMISSION EXPIRES September 21, 1976.

Therese A. Lewis
NOTARY PUBLIC



CROSS REFERENCE

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An Architectural and Environmental Control Committee has been established by Para 4 of the "Mares Meadows" Restrictive Covenants as recorded in the Hendricks County Recorders Office.

As of September 1, 1984, Davidson Industries by Al VanderMoere as its agent, have agreed to accept the responsibility of the Architectural and Environmental Control Committee for all lots except Lot 22.

Floyd D. Trischler
Floyd D. Trischler

Gloria N. Trischler
Gloria N. Trischler

ENTERED FOR RECORD
BOOK 61

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Bonnie R. Mays
RECORDER HENDRICKS COUNTY



State of Indiana)
) SS:
Hendricks County)

Before me, a Notary Public in and for said County and State, personally appeared Floyd D. Trischler and Gloria N. Trischler who acknowledged the execution of the foregoing, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 2nd day of October, 1984.

My commission expires:
3-25-85

John A. ...
Resident of Hendricks County.

Prepared by: Floyd D. Trischler