





For Waiver of Restrictions  
 Lot 12 see Misc Rec 59 p 826  
 9-7-04 Rec'd 45 1044 Rec'd 45 0656  
 June 2005-013911

MCCARTY'S LAKEHURST SUBDIVISION  
 FIRST SECTION

*H. Dargatzis*

For Resolution (lot 13) see  
 Misc. Rec. 56 Page 450

I, the undersigned, hereby certify that the above plat is a true and correct representation of a subdivision of a part of the west half of the southeast quarter of Section 20, Township 12 North, Range 4 East, in the county of Johnson, State of Indiana.

*H. K. Dargitz*

H. K. Dargitz - Registered Engineer #2973

Know all men by these presents, that James G. McCarly and Martha J. McCarly, husband and wife, of Johnson County, State of Indiana, being owners in fee simple of the following described real estate in Johnson County, State of Indiana, to-wit:

Do hereby make, plat, subdivide, lay off and dedicate said described real estate into lots and streets in accordance with the eighth plat hereto attached, which subdivisions shall be known and designated as McCarly's Lakeshore Subdivision, First Section. The streets and portion of streets not heretofore dedicated are hereby dedicated to public use.

The strips of ground, fifteen (15) feet in width, as shown on this plat, represent easements for the construction of and access to utilities and are hereby reserved for the use of public utilities for the installation and maintenance of poles, pole anchors, wires, lines, vines, ducts, drains, pipes and sewers, subject at all times to the authority of the proper civil officials and to the easements herein reserved.

All lots in this subdivision shall be known and designated as residential lots and no structure shall be erected, altered, placed or permitted to remain on any lot therein other than one detached single-family dwelling, not to exceed two stories in height and a private garage for not more than three (3) cars and residential accessory buildings of a substantial construction and conforming to the architecture of the dwelling.

No tent, shack, trailer, outhouse, latrine or other temporary structure of a temporary or permanent nature or kind shall be erected, placed or situated on any lot or lots in this subdivision except during the construction of a proper structure, the builder may erect temporary structures for the storage of tools and materials, the same to be entirely removed upon the completion of said proper structure.

No structure of either a temporary or permanent nature shall be erected, placed or maintained upon any lot or lots in this subdivision unless they conform in every respect and detail to the regulations and requirements of the Johnson County Zoning and Building Code or to the regulations and requirements of any other legal authority having jurisdiction thereover.

No building, structure or appurtenance thereto, except fences, shall be erected, placed or maintained within fifteen (15) feet of any side lot line unless approved by the legal authority having jurisdiction thereof. Where buildings or structures are constructed or placed on more than one single lot, this restriction shall apply to the side lot lines of the extreme boundaries of the multiple lots so occupied.

No fence shall be erected on or along any lot line nor upon any lot for the purpose of obstructing reasonable vision, light and air. All fences shall be of substantial construction, kept in good repair and reasonably erected to enclose the property and decorate the same without hindrance or obstruction to between three (3) and six (6) feet above the roadway, within the area between the street property line and the building line.

No 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, nor shall natural gas shall be stored, sold, transported or used in any lot.

No spirituous, vinous, malt or intoxicating liquor shall be sold or bartered upon any lot or lots in this subdivision. No obscene or offensive activity shall be carried on or upon any lot or lots, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

The lots addressed to this subdivision shall be maintained for the exclusive use of the owners of the lots in this subdivision and their guests and the approximately fifty-one acres of land from which this subdivision has been developed. For this purpose the assessment, fifty (50) feet in width has been laid and provided for all said lot owners not fronting directly upon said lots.

These covenants shall attach to and run with the 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 covenants are recorded, after which time these covenants shall be automatically extended for successive periods of ten (10) years, unless by a majority written vote of the then lot owners, it is agreed to change said covenants in whole or in part.

Invalidation of any of the foregoing covenants, provisions, restrictions or conditions by judgment or court order shall in no wise affect the validity of any of the other provisions, covenants, restrictions or conditions, which shall remain in full force and effect.

Witness our signature this 15 day of December, 1956. *James G. McCarly* and *Martha J. McCarly*

By commission expires *December 7, 1957* *Louis A. ...* Notary Public

Under authority provided by Chapter 176, Act of 1947 enacted by the General Assembly of the State of Indiana, this Plat was given approval by the County of Johnson, as follows:

Approved by the County Plan Commission at a meeting held on the 15 day of December, 1956. *Robert J. Burgett* Auditor of Johnson County

Entered for taxation this 19th day of Jan, 1957.

B-66



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