

MERIDIAN WOODS

72 28833 SIXTH SECTION

THE UNDERSIGNED, R. J. REALTY, INC., BY ITS DULY AUTHORIZED OFFICERS, ROBERT J. COOK, PRESIDENT, AND ROBERT J. WILSON, SECRETARY-TREASURER, HEREBY LAY OFF, PLAT AND SUBDIVIDE THE REAL ESTATE DESCRIBED ON THE PLAT OF MERIDIAN WOODS PARK, SIXTH SECTION, IN ACCORDANCE WITH SAID PLAT AND CERTIFICATE.

SAID SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS MERIDIAN WOODS PARK, SIXTH SECTION.

THE STREETS, IF NOT HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO THE PUBLIC.

THERE ARE STRIPS OF GROUND MARKED UTILITY STRIPS SHOWN ON THE PLAT WHICH ARE HEREBY RESERVED FOR PUBLIC UTILITIES, NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLATION AND MAINTENANCE OF POLES, MAINS, SEWERS, DRAINS, DUCTS, LINES AND WIRES. PURCHASERS OF LOTS IN THIS SUBDIVISION SHALL TAKE TITLE SUBJECT TO THE EASEMENTS HEREBY CREATED AND SUBJECT AT ALL TIMES TO THE RIGHTS OF PROPER AUTHORITIES TO SERVICE THE UTILITIES AND THE EASEMENTS HEREBY CREATED, AND NO PERMANENT STRUCTURE OF ANY KIND, AND NO PART THEREOF, EXCEPT FENCES, SHALL BE BUILT, ERECTED OR MAINTAINED ON SAID UTILITY STRIPS.

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

RESTRICTIONS AND COVENANTS

1. FRONT BUILDING LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE FOREGOING PLAT, BETWEEN WHICH LINES AND THE PROPERTY LINES OF THE SEVERAL STREETS SHALL BE ERECTED AND MAINTAINED NO PERMANENT OR OTHER STRUCTURES, OR PARTS THEREOF, EXCEPT FENCES.
2. ALL LOTS IN THIS SUBDIVISION SHALL BE DESIGNATED AS RESIDENTIAL LOTS. NO FAMILY DWELLING SHALL EXCEED TWO AND ONE-HALF (2½) STORIES OR THIRTY-FIVE (35) FEET IN HEIGHT WITH THE USUAL ACCESSORY BUILDINGS.
3. NO RESIDENCE SHALL BE ERECTED OR MAINTAINED ON ANY LOT IN THIS ADDITION HAVING A GROUND FLOOR AREA OF LESS THAN 1200 SQUARE FEET, IF A ONE STORY STRUCTURE, OR 800 SQUARE FEET IN THE CASE OF A HIGHER STRUCTURE.
4. EVERY BUILDING OR PART THEREOF SHALL BE SO LOCATED AS TO PROVIDE A SIDE YARD ON EACH SIDE OF SAID BUILDING IN ACCORDANCE WITH MARION COUNTY ZONING ORDINANCE OF 1966, IN D-3 CLASSIFICATION, EXCEPT: THAT IN THE CASE WHERE THE SAME PERSON OR PERSONS OWN TWO ADJOINING LOTS SEPARATED BY A UTILITY STRIP AS SHOWN ON THE PLAT, THEN THIS RESTRICTION SHALL APPLY TO THE LOT LINES OF THE EXTREME BOUNDARIES OF THE MULTIPLE LOTS.
5. NO TRAILER, TENT, SHACK, BASEMENT, GARAGE OR TEMPORARY STRUCTURE OF ANY KIND SHALL BE USED FOR TEMPORARY OR PERMANENT RESIDENTIAL PURPOSES ON ANY OF THESE LOTS, AND NO BOAT, TRAILER, OR CAMPER OF ANY KIND SHALL BE KEPT OR PARKED UPON SAID LOT EXCEPT WITHIN GARAGE OR OTHER APPROVED STRUCTURE. NO OBNOXIOUS OR OFFENSIVE TRADES SHALL BE CARRIED ON UPON ANY LOT OR LOTS IN THIS ADDITION, NOR SHALL ANYTHING BE DONE HEREIN WHICH SHALL BECOME A NUISANCE TO THE NEIGHBORHOOD.

6. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN 2 AND 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 25 FEET FROM THE INTERSECTION OF SAID STREET LINES, OR IN THE CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL APPLY TO ALL LOTS WITHIN 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 OR SUCH INTERSECTIONS UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SUCH SIGHT LINES.

NO HOUSE FOOTING DRAIN, OR ROOF WATER DRAIN SHALL BE DISCHARGED INTO THE SANITARY SEWER.

7. NO BUILDING SHALL BE ERECTED, 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 CONFORMITY 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 ROBERT J. COOK AND ROBERT J. WILSON, OR BY A REPRESENTATIVE OR REPRESENTATIVES DESIGNATED BY THEM. IF SAID COMMITTEE SHALL FAIL TO ACT UPON ANY PLANS SUBMITTED FOR ITS APPROVAL WITHIN 60 DAYS, THEN THE OWNER MAY PROCEED WITH THE BUILDING PLANS SUBMITTED, PROVIDED SUCH PLANS ARE NOT CONTRARY TO THESE COVENANTS. NEITHER THE MEMBERS OF SAID COMMITTEE NOR ITS DESIGNATED REPRESENTATIVES SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT.

WOODS PARK

8. **COMMON PROPERTIES:** THE AREAS DESIGNATED "COMMON PROPERTIES" AND/OR "GREEN BELT AREAS" IN THIS ADDITION SHALL BE DEVOTED TO THE COMMON USE AND ENJOYMENT OF THE OWNERS OF LOTS OF LAND IN THIS ADDITION AND OTHER ADDITIONS OF MERIDIAN WOODS PARK AND VARIOUS SECTION THEREOF PRESENTLY PLATTED OR TO BE PLATTED AT A LATER DATE. OWNERSHIP, MANAGEMENT AND CONTROL OF "COMMON PROPERTIES" AND/OR "GREEN BELT AREA" SHALL BE EXCLUSIVELY EXERCISED BY MERIDIAN WOODS PARK ASSOCIATION, INC., AN INDIANA, NON PROFIT CORPORATION, IN ACCORDANCE WITH ITS CHAPTER, BY-LAWS, AND A CERTAIN INSTRUMENT ENTITLED "DECLARATION OF COVENANTS AND RESTRICTIONS" RECORDED AS INSTRUMENT #68-52894, IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA. EACH OWNER OF EVERY LOT IN THIS ADDITION SHALL, AS A CONDITION PRECEDENT TO OWNERSHIP, COVENANT AND AGREE TO PAY MONTHLY CHARGES TO MERIDIAN WOODS PARK ASSOCIATION, INC., IN ACCORDANCE WITH THE ARTICLES OF INCORPORATION, BY-LAWS AND THE DECLARATION OF COVENANTS AND RESTRICTIONS. SAID COMMON PROPERTIES MAY ALSO BE USED FOR PUBLIC UTILITIES.

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 ERECTED 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 GRANTEEES AND ASSIGNS WHO SHALL BE ENTITLED TO SUCH INJUNCTIVE RELIEF WITHOUT BEING REQUIRED TO SHOW ANY DAMAGES, TOGETHER WITH REASONABLE ATTORNEY'S FEES. THE METROPOLITAN PLAN COMMISSION OF MARION COUNTY, INDIANA, SHALL ALSO HAVE THE RIGHT OF ENFORCEMENT OF THE FOREGOING COVENANTS.

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 THEREAFTER FOR PERIODS OF 25 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, INDIANA, IN WHICH EVENT THE PROVISIONS ABOVE SET FORTH FOR RENEWALS SHALL BE NULL AND VOID.

11. INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGEMENT OF A COURT OF RECORD SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

WITNESS OUR SIGNATURES AND CORPORATE SEAL THIS 12TH DAY OF MAY 1972.

R. J. REALTY, INC.

BE Robert J. Cobb
ROBERT J. COBB
PRESIDENT

Robert J. Wilson
ROBERT J. WILSON
SECRETARY-TREASURER

STATE OF INDIANA:
COUNTY OF MARION

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, APPEARED R. J. REALTY, INC., BY ITS DULY AUTHORIZED OFFICERS, ROBERT J. COOK PRESIDENT, AND ROBERT J. WILSON, SECRETARY, TREASURER, WHO ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE USE AND PURPOSE THEREIN EXPRESSED, AND AFFIXED THEIR SIGNATURES THERETO.

WITNESS MY HAND AND SEAL THIS 10 DAY OF May 1972.

NOTARY PUBLIC [Signature]

MY COMMISSION EXPIRES March 30, 1976

APPROVED THIS 24th
DAY OF May 1972
AUDITOR OF MARION COUNTY
[Signature] DRAFTSMAN

FINAL APPROVAL
PLAT COMMITTEE
METROPOLITAN DEVELOPMENT COMMISSION
DIVISION OF PLANNING AND ZONING
MARION COUNTY, INDIANA
May 18 1972
PROPER PUBLIC NOTICE OF THE
HEARING HAS BEEN PUBLISHED
[Signature]
SECRETARY, PLAT COMMITTEE

VOID UNLESS RECORDED
12-1-73