

Perry Wood Estates

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Wm. D. Hill

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COVENANT

PERRY WOODS ESTATES

1. No lot shall be used except for residential purposes, and no building will be erected, altered, or placed on any lot other than (1) detached single family dwelling not to exceed two (2) stories in height, and an attached private garage for not less than two (2) or more than three (3) cars. Carports with open sides will not be permitted. All driveways and vehicle parking areas will be hard surfaced with either concrete, asphalt or brick. No gravel or stone driveways will be permitted. No plywood siding will be permitted on any structure.
2. All dwelling constructed upon any lot in this development will conform to the following minimum living area requirements. The ground floor living area of all single story dwelling will contain not less than 1600 square feet (exclusive of one (1) story open porches and garages), and other areas not considered living area. No two (2) story dwellings will contain less than 1200 square feet of living area on the ground floor, and a minimum total square footage of 1800 in the entire structure. No building will be located on any lot nearer to the front lot line or nearer the side street line than the minimum building set-back as shown on the recorded plat. No building will be located nearer than ten feet to a side yard line, and the total side yard set-back (both sides) must total 25 feet. No building will be erected closer than 20 feet to the rear lot line. No garage or storage building may be constructed separate and apart from the main dwelling.
3. No building will be erected, placed or attached on any lot until construction plans and specifications have been submitted and approved by the Architectural Control Committee. These plans will show existing trees, trees to be removed, ground floor elevations, topography, and finish grade elevations. The Architectural Control Committee will have control of the quality of workmanship, material, and the harmony of external design with the existing structures. No fence or wall or mail box and post will be erected, placed or altered on any lot or within the development unless previously approved by the Architectural Control Committee in writing. Approvals will be provided as set forth in paragraphs 4 & 5 of the Covenants. The Architectural Control Committee must approve the owners plan for preserving existing trees and foliage prior to the commencement of any work on the property. It shall be the lot owner's responsibility to comply precisely with all building and site finish ground elevations as finally required and approved by the Indianapolis Department of Public Works and as evidenced upon the final construction plans for the development of Perry Woods Estates.
4. The Architectural Control Committee will be composed of not less than 2 nor more than 4 members, all appointed by the undersigned. A majority of the Committee may designate a representative to act for it. In the event of death or resignation of any member of the Committee, the remaining members will have full authority to designate a successor. Neither the members of the Committee nor its designated representatives will be entitled to any compensation for services performed pursuant to the Covenant. The Committee will serve at the discretion of the undersigned. Within thirty (30) days following July 1, 1988, the Architectural Control Committee will notify all resident home owners of an Architectural Control Committee meeting to be held within an additional thirty (30) days. At this meeting, resident home owners will elect one new member to serve for a term of one (1) year, and one new member to serve for two (2) years. The remaining Architectural Control Committee member will serve for an additional (1) one year term. He will be elected out of the three (3) former members of the Architectural Control Committee, and will serve as President for his remaining year. On July 1, 1989, the Architectural Control Committee will call yearly meetings with 30 day notification of resident property owners who will elect one (1) new committee member for a three (3) year term. The majority resident home owners will elect officers for the Architectural Control Committee. The Architectural Control Committee will call yearly meetings for the election of the new member for his or her three (3) year term.
5. The Architectural Control Committee approval or disapproval as required in these

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 5. The Architectural Control Committee approval or disapproval as required in these Covenants will be in writing. In the event the Committee, or its designated representative fails to approve or disapprove within twenty (20) days after plans and specifications have been submitted to it, or in any event, if no suit to enjoin its construction had commenced prior to the completion thereof, approval will not be required and the related Covenants will be deemed and have been fully complied with.
 6. No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
 7. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out building will be permitted to remain on any lot or used on any lot at any time as a residence either temporarily or permanently. The exterior surface of all building will have prior written approval of the Architectural Control Committee. All dwellings will contain a garbage disposal unit. Outside trash burners will not be permitted. All residences will contain a trash compactor.
 8. No sign of any kind shall be displayed to the public view on any lot, except signs used by any approved builder to advertise the property during the construction period as approved by the developer. Violation of this sign restriction will result in Fifty Dollars(\$50.00) per day.
 9. No oil or water drillings, oil development operations, oil refining quarries or mining operations of any kind will be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil, water or natural gas will be erected, maintained or permitted on any lot. All propane tanks must be concealed.

10. No animals, livestock or poultry of any kind will be raised, bred, or kept on any lot except that dogs, cats, or other household pets may be kept, provided that the are not kept, bred, or maintained for any commercial purpose.
11. No lot will be used or maintained as a dumping ground for rubbish, trash, or garbage. Antenna, masts, towers or satellite dishes of any kind will not be permitted on any lot or outside any dwelling, unless first approved by the Architectural Control Committee. No trash or building materials may be burned or buried on any lot within the development, and all lots will be kept clean at all times during any construction with all trash and excess materials stored in a trash dumpster screened from view, and provided by the contractor and removed daily.
12. No fence, wall, hedge or shrub planting which obstructs the sight lines at elevations between two (2) and six (6) feet above road ways will 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 twenty five (25) feet from the intersection of the street property lines, or in the case of a rounded property corner, from the intersection of the street property lines extended. The same sight line limitations will apply on any lot within ten (10) feet from the intersection of a street property line with the edge of a driveway pavement. No tree will be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient heights to prevent obstruction of such site lines. No driveway shall be located within forty (40) feet of the intersection of two (2) street lines. Sidewalks will be the responsibility of the lot owners and building contractor, and will be completed at such time as the driveway on the lot is constructed or within eighteen (18) months of the date such lot is initially conveyed by the undersigned, whichever date will first occur.
13. Each lot will be kept in a neat and pleasing manner, with the grass mowed when necessary to maintain a growth of six (6) inches or less at all times. Campers, recreational vehicles or boats of any kind may not be stored or parked on any lot outside the main dwelling or garage. All basketball backboards and any other fixed games and play structures will be located behind the front foundation line of the main structure and within lot setback lines, and must be approved by the Architectural Control Committee prior to location on the premises. It is the intention of this restriction to assure that lots and surroundings present a park-like appearance.
14. No individual water supply system or sewage disposal system will be permitted on any lot without prior written approval by the Architectural Control Committee and Marion County and will be located and constructed in accordance with requirements; standards and recommendations of the Indiana State Board of Health. Geothermal systems will be approved by all applicable agencies prior to installation. Solar heating systems of any nature must be approved by the Architectural Control Committee as to design quality prior to construction. Owners are hereby advised that such systems are generally discouraged, and will not be approved unless their design blends with the structure and adjacent properties. All outdoor air conditioning units will be screened from view. No mailbox will be erected or maintained on any lot or within the development without prior approval of the Architectural Control Committee. The mailboxes throughout the development are intended to be uniform in design and color and will be specified by the developer.
15. Any field tile or underground drain which is encountered in construction of any improvements within this subdivision will be perpetuated, and all owners of lots in this subdivision and their successors will comply with the Indiana Drainage Code 1965, and all amendments thereto.
16. Any motor vehicle which is inoperable or unlicensed, and not being used for normal transportation will not be permitted to remain on the lot. Above ground swimming pools will not be permitted or constructed on the lot.

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16. Any motor vehicle which is inoperable or unlicensed, and not being used for normal transportation will not be permitted to remain on the lot. Above ground swimming pools will not be permitted or constructed on the lot.
17. All construction commenced on any lot within the development will be completed within one hundred twenty (120) days, unless circumstances beyond the reasonable control of the builder, and/or would prevent such. The undersigned will have the authority to seek an injunction or order for the removal of materials and partially completed structures in violation of the Covenant.
18. All costs of litigation and attorney's fees resulting from violation of these Covenants will be the financial responsibility of the lot owners found to be in violation.
19. 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, 58-AO-3, as amended, or any conditions attached to approval of this plat by the Plat Committee.