

RIDGE HILLS SUBDIVISION  
SECTION 1

KNOW ALL MEN BY THESE PRESENTS: THAT HENRY SCHEID AND WILLIAM VAN HOY, JR. OF MARION COUNTY, STATE OF INDIANA BEING THE OWNERS IN FEE SIMPLE OF THE FOLLOWING DESCRIBED REAL ESTATE IN MARION COUNTY, STATE OF INDIANA, TO WIT:

A PART OF THE SW 1/4 OF SECTION 22, TOWNSHIP 14 NORTH, RANGE 3 EAST AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTH  $00^{\circ} 43'$  EAST ON AND ALONG THE EAST LINE OF SAID QUARTER SECTION 1426.0 FEET; THENCE SOUTH  $54^{\circ} 06'$  WEST 150.0 FEET; THENCE NORTH  $68^{\circ} 55'$  WEST 257.75 FEET; THENCE NORTH  $63^{\circ} 50'$  WEST 50.0 FEET; THENCE NORTH  $25^{\circ} 10'$  EAST 46.0 FEET; THENCE NORTH  $63^{\circ} 07'$  WEST 213.38 FEET TO THE P.C. OF A CURVE TO THE LEFT, SAID CURVE HAVING A DELTA OF  $3^{\circ} 10'$  AND A RADIUS OF 735.0 FEET; THENCE SOUTH ON AND ALONG SAID CURVE 40.70 FEET TO THE P.T. THEREOF; THENCE SOUTH  $88^{\circ} 49'$  WEST 51.35 FEET; THENCE NORTH  $88^{\circ} 57'$  WEST 193.71 FEET; THENCE SOUTH  $00^{\circ} 43'$  WEST 1588.7 FEET TO A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION, WHICH IS 990.0 FEET WEST OF THE SOUTHEAST CORNER; THENCE EAST ON AND ALONG THE SOUTH LINE OF SAID QUARTER SECTION 990.0 FEET TO THE POINT OF BEGINNING, CONTAINING 34.32 ACRES, MORE OR LESS; SUBJECT TO ALL HIGHWAYS AND RIGHTS-OF-WAY.

WE HEREBY MAKE PLAT, SUBDIVIDE, LAY OFF AND DEDICATE SAID DESCRIBED REAL ESTATE INTO LOTS AND STREETS IN ACCORDANCE WITH THE PLAT HERETO ATTACHED, WHICH ADDITION SHALL BE KNOWN AS RIDGE HILLS, MARION COUNTY, INDIANA; THAT THE STREETS AS SHOWN ON THE ATTACHED PLAT ARE HEREBY DEDICATED TO PUBLIC USE AND THAT ALL OF THE LOTS CONTAINED IN THE ABOVE PLAT OR ANY PORTION THEREOF SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS, WHICH RESTRICTION SHALL BE CONSIDERED AND HEREBY DECLARED TO BE COVENANTS RUNNING WITH THE LAND, WHICH RESTRICTIVE COVENANTS ARE AS FOLLOWS, TO WIT:

1. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES. NO BUILDING SHALL BE ERRECTED, ALTERED, PLACED, OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN AS STATED UNDER THE D-1 ZONING AS SPECIFIED IN THE MARION COUNTY ZONING ORDINANCE 58-AO-13 AS AMENDED AND NOW EFFECTIVE IN MARION COUNTY.
2. NO BUILDING SHALL BE ERRECTED, PLACED OR ALTERED ON ANY LOT UNTIL THE CONSTRUCTION PLAN AND SPECIFICATIONS AND A PLAN SHOWING THE LOCATION OF THE STRUCTURE HAVE BEEN APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE AS TO QUALITY OF WORKMANSHIP AND MATERIALS, HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES, AND AS TO LOCATION WITH RESPECT TO TOPOGRAPHY AND FINISH GRADE ELEVATION.
  - A. NO FENCE OR WALL SHALL BE ERRECTED, PLACED OR ALTERED ON ANY LOT NEARER TO ANY STREET THAN THE MINIMUM BUILDING SET-BACK LINE UNLESS SIMILARLY APPROVED, AND IN NO CASE SHALL BE GREATER THAN THREE AND ONE-HALF (3 1/2) FEET IN HEIGHT. APPROVAL SHALL BE PROVIDED IN PART TEN (10).
  - B. NO SINGLE STORY DWELLING SHALL HAVE A GROUND FLOOR AREA LESS THAN 1800 SQUARE FEET AND NO TWO-STORY DWELLING SHALL HAVE A GROUND FLOOR AREA LESS THAN 1200 SQUARE FEET.
  - C. EACH DWELLING SHALL HAVE AT LEAST A TWO CAR GARAGE, BUT OPEN SIDED CARPORTS ARE SPECIFICALLY PROHIBITED.
  - D. EACH DWELLING SHALL BE REQUIRED TO INCLUDE AN ELECTRIC OR GAS INCINERATOR AND A GARBAGE DISPOSAL UNIT IN ITS INITIAL CONSTRUCTION.
3. NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LINE THAN THE MINIMUM BUILDING SET-BACK LINES SHOWN ON THE RECORDED PLAT, FOR THE PURPOSES OF THIS COVENANT, EAVES, STEPS AND PORCHES SHALL NOT BE CONSIDERED AS A PART OF THE BUILDING, PROVIDED, HOWEVER, THAT THIS SHALL NOT BE CONSTRUED TO PERMIT ANY PORTION OF A BUILDING, ON A LOT TO ENCRACH UPON ANOTHER LOT.
4. EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES ARE RESERVED AS SHOWN ON THE RECORDED PLAT.
5. 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.
6. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUTBUILDING SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE EITHER TEMPORARILY OR PERMANENTLY.

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8. EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES ARE RESERVED AS SHOWN ON THE RECORDED PLAT.
9. 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.
10. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUTBUILDING SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE EITHER TEMPORARILY OR PERMANENTLY.
  - A. NO TRAILER, BOAT, CAMPING EQUIPMENT, DISABLED MOTOR VEHICLE OR OTHERWISE SHALL BE STORED, PARKED IN ANY MANNER WHATSOEVER IN FRONT OF THE HOUSE OR DWELLINGS ERRECTED ON THESE LOTS AND THE RESIDENTS SHALL MAKE EVERY EFFORT TO KEEP THEIR YARD AND LOT IN AN ATTRACTIVE MANNER AND IN SUCH A CONDITION THAT IT SHALL NOT DETRACT FROM THE PROPERTY VALUE OF THE ADDITION AND THE SOLE JUDGE AS TO WHETHER OR NOT IT IS BEING SO KEPT SHALL REMAIN IN THE ARCHITECTURAL CONTROL COMMITTEE, MEMBERS OF WHICH ARE PROVIDED HEREAFTER.
11. THE ARCHITECTURAL CONTROL COMMITTEE IS COMPOSED OF THREE MEMBERS, APPOINTED BY THE DEVELOPER. 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 SHALL HAVE FULL AUTHORITY TO DESIGNATE A SUCCESSOR.
  - A. THIS AFOREMENTIONED ARCHITECTURAL CONTROL COMMITTEE MAY BE ELECTED BY THE MAJORITY OF THE LOT OWNERS WHEN THE FOLLOWING STEPS HAVE BEEN TAKEN: (1) NOTICE IS SERVED UPON THE ARCHITECTURAL CONTROL COMMITTEE THAT AN ELECTION HAS BEEN REQUESTED, SAID NOTICE BEING SIGNED BY FIFTY PERCENT OF THE FEE TITLE OWNERS OF THE LOTS IN THIS SUBDIVISION, (2) NOMINATIONS FOR SAID COMMITTEE MUST BE MADE IN WRITING TO THE ARCHITECTURAL CONTROL COMMITTEE AND SAID NOMINATIONS MUST BE SIGNED BY AT LEAST TEN PERCENT OF THE FEE TITLE OWNERS, EACH LOT HAVING ONE VOTE, ELECTION WILL BE HELD WITHIN THIRTY DAYS AFTER NOMINATIONS WILL BE CLOSED AFTER THIRTY DAYS HAS BEEN SERVED UPON THE ARCHITECTURAL CONTROL COMMITTEE. THE ELECTION WILL THEN BE HELD AT THE TIME AND PLACE SELECTED BY THE ARCHITECTURAL CONTROL COMMITTEE, BALLOTS SHALL BE CAST IN WRITING AND ONE VOTE WILL BE CAST FOR EACH LOT IN THE SUBDIVISION.
  - B. ALL DRIVES INTO THESE LOTS SHALL BE HARD SURFACED AND CONSTRUCTED IN A MANNER BEFITTING THE OTHER LOTS IN THE NEIGHBORHOOD. SAID DECISION AND JUDGEMENT ON CONSTRUCTION AND MAINTENANCE OF THESE DRIVES SHALL BE UNDER THE CONTROL OF THE ARCHITECTURAL CONTROL COMMITTEE.
12. THE ARCHITECTURAL CONTROL COMMITTEE APPROVAL OR DISAPPROVAL AS REQUIRED IN THIS COVENANTS SHALL BE IN WRITING. IN THE EVENT THE COMMITTEE, OR ITS DESIGNATED REPRESENTATIVES, FAIL TO APPROVE OR DISAPPROVE WITHIN 30 DAYS AFTER PLANS AND SPECIFICATIONS HAVE BEEN SUBMITTED TO IT, OR IN ANY EVENT, IF NO SUIT TO ENJOIN THE CONSTRUCTION HAS BEEN COMMENCED PRIOR TO THE COMPLETION THEREOF, APPROVAL WILL NOT BE REQUIRED AND THE RELATED COVENANTS SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.

THIS INSTRUMENT PREPARED BY: HF

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9. NO DOWNSPOUT SHALL BE CONNECTED TO OR CAUSED TO DISCHARGE RAINWATER INTO ANY SANITARY SEWER.
10. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT, EXCEPT ONE PROFESSIONAL SIGN OF NOT MORE THAN ONE SQUARE FOOT, ONE SIGN OF NOT MORE THAN FIVE 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.
11. NO OIL 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. NO DERRICK OR OTHER STRUCTURE DESIGNED FOR USE IN BORING FOR OIL OR NATURAL GAS SHALL BE ERECTED, MAINTAINED OR PERMITTED UPON ANY LOT.
12. NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE PAISED, BRED OR KEPT ON 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 PURPOSE.
13. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH OR GARBAGE. OTHER WASTE SHALL NOT BE KEPT, EXCEPT IN SANITARY CONTAINERS. ALL INCINERATORS OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION.
14. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINE AT ELEVATIONS BETWEEN 2 AND 3 1/2 FEET ABOVE ROADWAY SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET PROPERTY LINE, AND A LINE CONNECTING THEM AT POINTS 25 FEET FROM THE INTERSECTION OF THE STREET LINES, OR IN THE CASE OF A ROUNDED PROPERTY CORNER FROM THE INTERSECTION OF THE STREET LINES EXTENDED. THE LINES, OR IN THE CASE OF A ROUNDED PROPERTY CORNER FROM THE INTERSECTION OF THE STREET LINES EXTENDED. THE 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 PAVEMENT. NO TREE SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCES OF SUCH INTERSECTIONS UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SUCH SIGHT LINES.
15. 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 THESE COVENANTS ARE RECORDED. AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS, UNLESS AN INSTRUMENT SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS HAS THEM RECORDED, AGREEING TO CHANGE THEM IN WHOLE OR IN PART.
16. INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGEMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.
17. ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT EITHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGES.
18. THE ABOVE COVENANTS ARE SUBJECT TO ALL THE PREVAILING RULES AND REGULATIONS OF THE METROPOLITAN PLANNING DEPARTMENT, MARION COUNTY, INDIANA, ITS ASSIGNS AND/OR SUCCESSORS.

WITNESS WHEREOF, THIS INDENTURE HAS BEEN EXECUTED BY THE UNDERSIGNED, HENRY SCHEID AND WILLIAM VAN HOY, JR. AND IN BEHALF OF SUCH OWNERSHIP, THIS 14th DAY OF JANUARY, 1970

Henry C Scheid William Van Hoy Jr  
 STATE OF INDIANA) SS:  
 COUNTY OF MARION)

APPROVED THIS 15th DAY OF January 1970  
Rue Oberlin DRAFTER  
 AUDITOR OF MARION COUNTY

THE UNDERSIGNED, A NOTARY PUBLIC, DULY COMMISSIONED TO TAKE ACKNOWLEDGEMENTS AND ADMINISTER OATHS, IN THE STATE OF INDIANA, CERTIFY THAT HENRY SCHEID AND WILLIAM VAN HOY, JR., THE OWNERS OF RIDGE HILLS, PERSONALLY APPEARED BEFORE ME AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INDENTURE, AS THEIR DULY AUTHORIZED ACTS, THIS 14 DAY OF JANUARY, 1970

William J. Kite  
 NOTARY PUBLIC

COMMISSION EXPIRES: July 12, 1971

PLAT REPLACES AND SUPERSEDES A PLAT ORIGINALLY RECORDED ON MAY 19, 1969, AS INSTRUMENT 669-23624 IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA, AND SHALL VALIDIFY THAT CERTAIN INSTRUMENT RECORDED ENROUSALLY ON FEBRUARY 3, 1970, AS INSTRUMENT 669-45293, IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA, REFERRED TO AS A REPLAT AND DISCONTINUED.