

91 SEP 13 AM 10:13  
CLERK OF SUPERIOR  
MARION COUNTY RECORDER

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SPINNAKER COVE PHASE II  
SECTION 13 (a/k/a Area 25)

The undersigned, Bruce Gunstra Builders, Incorporated, being the owner of record of the within described property, does hereby lay-off, plat and subdivide such property into lots, streets and Common Area in accordance with the within plat. The within plat shall be known as Spinnaker Cove Phase II Final Plat Section 13 (a/k/a and designated as Area 25). The Declaration of Covenants and Restrictions of Spinnaker Cove Property Owners, Section 1 (a/k/a and designated as Area 4) was executed on the 12th day of October, 1988 and recorded as Instrument No. 89-21506 on the 8th day of March, 1989, on the same day as Spinnaker Cove Phase I Final Plat Section 1 (a/k/a Area 4) was recorded as Instrument Number 89-21504 in the Office of the Recorder of Marion County, Indiana.

This Declaration was amended to include additional real estate depicted in the final plat by recorded Supplemental Declarations for Spinnaker Cove labeled numerically for the Phase, Section and Area Number of the realty involved and recorded in the Office of the Recorder of Marion County, Indiana with Instrument # as follows:

Supplemental # (Phase #, Section #, Area #)	Instrument #
1st Supplemental (Phase I, Section 2, Area 3)	89-55614
2nd Supplemental (Phase I, Section 3, Area 20)	89-96245
3rd Supplemental (Phase I, Section 4, Area 19)	89-96252
4th Supplemental (Phase II, Section 5, Area 16)	89-125088
5th Supplemental (Phase II, Section 6, Area 17)	89-125090
6th Supplemental (Phase II, Section 7, Area 18)	89-125092
7th Supplemental (Phase I, Section 8, Area 21)	90-46039
8th Supplemental (Phase II, Section 9, Area 5)	90-46046
9th Supplemental (Phase II, Section 10, Area 6)	91-36202
10th Supplemental (Phase II, Section 11, Area 24)	91-60000
11th Supplemental (Phase II, Section 12, Area 22)	91-94231

The restrictions, limitations and covenants contained in such Declarations, together with the following restrictions contained in this Final Plat are hereby imposed upon and shall run with the land and shall be binding upon the grantor, its heirs, successors and assigns:

1. No fence, wall, hedge or shrub planting which obstructs sign lines at ~~junctions between 3 and 6 feet above the street shall be placed or~~ permitted to remain within the triangular area formed by the street property lines and a line connecting points 25 feet from the intersection of said street lines. The same sight line limitation shall apply to any lot within 10 feet from the intersection of a street line with the edge of a driveway. No trees shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of sight lines.

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9th Supplemental (Phase II, Section 10, Area 6) 91-36202  
10th Supplemental (Phase II, Section 11, Area 24) 91-60000  
11th Supplemental (Phase II, Section 12, Area 22) 91-74231

The restrictions, limitations and covenants contained in such Declarations, together with the following restrictions contained in this Final Plat are hereby imposed upon and shall run with the land and shall be binding upon the grantor, its heirs, successors and assigns:

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2. "The Metropolitan Development Commission, its successors and assigns, shall have no right, power or authority, to enforce any covenants, commitments, restrictions or other limitations that expressly run in favor of the Metropolitan Development Commission from enforcing any provision of the subdivision control ordinance, 58-A0-3, as amended, or any conditions attached to approval of this plat by the Plat Committee."
3. Streets if not heretofore dedicated, are hereby dedicated to the public.

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Any covenants contained in the Conditional Plat of Spinnaker Cove Phase II recorded as Instrument No. 89-86316 in the Office of the Recorder of Merion County, Indiana inconsistent with or not included in the above restrictions shall not be applicable to this Final Plat. If a conflict exists between the covenants contained in this plat and those in the Declaration, then the covenants in this Plat shall prevail.

IN WITNESS WHEREOF, Bruce Gunstra Builders, Inc., by its president, Bruce Gunstra, has executed this instrument and caused his name to be subscribed thereto this 17th day of September, 1991.

BRUCE GUNSTRA BUILDERS, INC., an Indiana corporation

By: [Signature]  
Bruce Gunstra, President

STATE OF INDIANA )  
                          ) SS:  
COUNTY OF MARION )

Before me, a Notary Public in and for said County and State, personally appeared Bruce Gunstra, by me known and by me known to be President of Bruce Gunstra Builders, Inc., an Indiana corporation, who acknowledged the execution of the foregoing "Plat" on behalf of said corporation.

Witness my hand and Notarial Seal this 17th day of September, 1991.



[Signature]  
Notary Public  
(Printed)

My County of Residence is: Marion  
My Commission Expires: 10/3/93