

THE BOULDERS

FIRST SECTION

SHEET No.

THE UNDERSIGNED, YEAGER CONTRACTING CO., INC., BY ITS DULY AUTHORIZED OFFICERS, ROBERT K. YEAGER, PRESIDENT, AND VIRGINIA M. YEAGER, ASSISTANT SECRETARY AND TREASURER, OWNERS OF THE REAL ESTATE DESCRIBED IN THE PLAT OF "THE BOULDERS", FIRST SECTION, DO HEREBY LAY OFF, PLAT AND SUBDIVIDE THE SAME IN ACCORDANCE WITH THE PLAT AND DESCRIPTION, THE FOLLOWING RESTRICTIONS, LIMITATIONS AND COVENANTS ARE HEREBY LAYED UPON AND SHALL RUN WITH THE LAND CONTAINED IN SAID PLAT.

1. THE FOREGOING PLAT SHALL BE KNOWN AND DESIGNATED AS THE BOULDERS, FIRST SECTION.
2. STREETS NOT HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO THE PUBLIC.
3. THERE ARE BUILDING LINES AS SHOWN ON THE PLAT AND NO STRUCTURE OR PART THEREOF SHALL BE ERECTED OR MAINTAINED BETWEEN SUCH BUILDING LINES AND THE PROPERTY LINES OF ANY STREET.
4. 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 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 LIMITATIONS 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 SUCH SIGHT LINES.
5. NO TRAILER, SHACK, SHED, TENT OR TEMPORARY BUILDING SHALL BE USED FOR TEMPORARY OR PERMANENT RESIDENCE ON ANY LOT IN THIS ADDITION, AND ANY GARAGE, TOOL SHED, OR DETACHED STORAGE BUILDING ERECTED OR USED ACCESSORY TO A RESIDENCE IN THIS ADDITION, SHALL BE OF A PERMANENT TYPE OF CONSTRUCTION AND CONFORM TO THE GENERAL ARCHITECTURE AND APPEARANCE OF SUCH RESIDENCE.
6. THERE ARE STRIPS OF GROUND AS SHOWN ON THE PLAT MARKED "DRAINAGE AND/OR UTILITY EASEMENTS" WHICH ARE RECEIVED AS EASEMENTS FOR THE USE OF THE MUNICIPALITY IN WHICH THIS ADDITION IS LOCATED, AND PUBLIC UTILITY COMPANIES, FOR THE INSTALLATION, MAINTENANCE, USE, REPAIR, AND REMOVAL OF SEWERS, WATER MAINS, GAS MAINS, UTILITY POLES, WIRES AND OTHER FACILITIES AND UTILITIES NECESSARY OR INCIDENT TO THE COMMON WELFARE AND THE USE AND OCCUPANCE OF RESIDENTIAL PURPOSES OF THE HOUSES TO BE ERECTED IN THIS ADDITION. NO BUILDING OR OTHER STRUCTURE EXCEPT WALKS OR DRIVEWAYS SHALL BE ERECTED OR MAINTAINED UPON, OVER, UNDER OR ACROSS ANY SUCH UTILITY STRIP FOR ANY USE EXCEPT AS SET FORTH HEREIN AND OWNERS IN THIS ADDITION SHALL TAKE TITLE TO THE LAND CONTAINED IN SUCH UTILITY STRIPS SUBJECT TO THE PERPETUAL EASEMENTS HEREBY RESERVED.
7. NO BUILDING SHALL BE CONSTRUCTED NEARER TO ANY SIDE PROPERTY LINE THAN THE MINIMUM REQUIRED BY THE MARION COUNTY ZONING ORDINANCE. NO BUILDING SHALL BE ERECTED ON ANY LOT HEREIN HAVING A GROUND FLOOR AREA OF LESS THAN 1500 SQUARE FEET IN THE CASE OF A ONE STORY STRUCTURE, OR 1100 SQUARE FEET IN THE CASE OF A TWO STORY STRUCTURE, PROVIDED HOWEVER THAT A DWELLING OTHER THAN A 2 STORY, CONSISTING OF SEPARATE LEVELS, SHALL HAVE NO LESS THAN A TOTAL OF 1500 SQUARE FEET EXCLUSIVE OF OPEN PORCHES AND GARAGES IN ALL CASES. THE SAME TOTAL OF 1500 SQUARE FEET SHALL ALSO APPLY TO A TWO (2) STORY RESIDENCE.
8. THE RIGHT TO ENFORCE THE FOREGOING PROVISIONS, RESTRICTIONS AND COVENANTS BOTH TO PREVENT THE VIOLATION THEREOF AND TO RECOVER DAMAGES IS HEREBY DEDICATED AND RESERVED TO THE OWNERS OF LOTS IN THIS ADDITION, THEIR HEIRS OR ASSIGNS, AND SHALL BE AND CONTINUE IN FULL FORCE AND EFFECT FOR A PERIOD OF 30 YEARS FROM THE DATE HEREOF; AND MAY BE CONTINUED FOR SUCCESSIVE PERIODS OF 10 YEARS EACH BY A VOTE OF THE THEN OWNERS OF A MAJORITY OF THE TOTAL AREA OF THIS ADDITION. INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT. THE METROPOLITAN DEVELOPMENT COMMISSION SHALL HAVE THE RIGHT OF ENFORCEMENT OF THE FOREGOING COVENANTS.
9. THE EXISTING HOUSE IS AN EXCEPTION TO ITEM 3 AND ITEM 7 ABOVE. THE EXISTING HOUSE ON LOT 109 SHALL BE ALLOWED TO REMAIN. HOWEVER, ANY NEW CONSTRUCTION ON LOT 109 SHALL BE IN ACCORDANCE WITH THE NEW 30-FOOT BUILDING LINE.

10. ARCHITECTURAL DESIGN AND ENVIRONMENTAL FENCE, WALL, OR OTHER STRUCTURE SHALL BE ERECTED ON ANY BUILDING PLOT IN THIS SUBDIVISION UNDER SPECIFICATIONS AND PLOT PLAN SHOWING THE LOCATION HAVE BEEN APPROVED AS TO THE CONFORMITY AND WITH EXISTING STRUCTURE HEREIN AND AS TO TOPOGRAPHY AND FINISHED GROUND ELEVATIONS BY ENVIRONMENTAL CONTROL COMMITTEE. THE DESIGN AND ANY OTHER SUCH MATTER AS MAY AFFECT THE "THE BOULDERS" AREA SHALL BE THE PROPERTY OF THIS COMMITTEE SHALL BE COMPOSED OF THE UNDERSIGNED DESCRIBED REAL ESTATE, OR BY THEIR DULY AUTHORIZED REPRESENTATIVE, IN WRITING. THE COMMITTEE'S APPROVAL IS NOT RECEIVED FROM THE DATE OF SUBMISSION, IT SHALL BE DEEMED APPROVED THE PRESENTED PLAN. NEITHER THE DESIGNATED REPRESENTATIVE SHALL BE ENTITLED TO SERVICES PERFORMED PURSUANT TO THIS COVENANT.

11. UTILITY BUILDING: A UTILITY BUILDING ON ANY LOT, IF APPROVED BY THE ARCHITECTURAL AND ENVIRONMENTAL CONTROL COMMITTEE, IS TO BE CONSTRUCTED TO MEET STANDARDS OF CONSTRUCTION AS USED IN THE CITY OF MARION. UTILITY BUILDING SHALL BE LOCATED BEHIND THE MAIN DWELLING. THE UTILITY BUILDING SHALL BE LOCATED AT A MINIMUM DISTANCE FROM THE MAIN DWELLING.

12. RECREATIONAL VEHICLES, BOATS, AND NON-MOTORIZED RECREATIONAL VEHICLES AND MOTORCYCLES SHALL BE KEPT IN EITHER THE DWELLING OR GARAGE OR OTHER ENCLOSED AREA.

13. NUISANCES: NO NOXIOUS OR OFFENSIVE ODORS OR ANY LOT, NOR SHALL ANYTHING BE DONE THAT IS ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

14. ANIMALS: NO ANIMALS, LIVESTOCK OR OTHER ANIMALS SHALL BE KEPT UPON ANY LOT EXCEPT THAN DOGS, CATS, OR BIRDS, PROVIDED THAT THEY ARE NOT KEPT FOR COMMERCIAL PURPOSES.

15. THE RESTRICTIONS, LIMITATIONS AND COVENANTS HEREIN SHALL CONSTITUTE ALL SUCH RESTRICTIONS, LIMITATIONS AND COVENANTS ON THE LAND BY THE UNDERSIGNED AND SUPERSEDE ALL OTHER RESTRICTIONS, LIMITATIONS AND COVENANTS WHICH MAY HAVE BEEN PROPOSED OR WRITTEN, WHICH MAY BE IN EFFECT PRIOR TO THE DATE HEREOF, BY THE UNDERSIGNED.

WITNESS OUR SIGNATURES AND CORPORATE SEALS.

1975

YEAGER CONTRACTING COMPANY, INC.

BY: *Robert K. Yeager*
ROBERT K. YEAGER
PRESIDENT

STATE OF INDIANA
COUNTY OF MARION

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF INDIANA, APPEARED YEAGER CONTRACTING CO., INC. OFFICERS, ROBERT K. YEAGER, PRESIDENT, AND VIRGINIA M. YEAGER, ASSISTANT SECRETARY AND TREASURER, WHO ACKNOWLEDGED THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY AND PURPOSE THEREIN EXPRESSED, AND AFFIXED THEIR SIGNATURES AND CORPORATE SEALS.

WITNESS MY HAND AND SEAL THIS 17 DAY OF

NOTARY PUBLIC *Becky J. Walton*

MY COMMISSION EXPIRES February 24, 1976

THE BOULDERS

FIRST SECTION

THE UNDERSIGNED, YEAGER CONTRACTING CO., INC., BY ITS DULY AUTHORIZED OFFICERS, ROBERT K. YEAGER, PRESIDENT, AND VIRGINIA M. YEAGER, ASSISTANT SECRETARY AND TREASURER, OWNERS OF THE REAL ESTATE DESCRIBED IN THE PLAT OF "THE BOULDERS", FIRST SECTION, DO HEREBY LAY OFF, PLAT AND SUBDIVIDE THE SAME IN ACCORDANCE WITH THE PLAT AND DESCRIPTION. THE FOLLOWING RESTRICTIONS, LIMITATIONS AND COVENANTS ARE HEREBY IMPOSED UPON AND SHALL RUN WITH THE LAND CONTAINED IN SAID PLAT:

1. THE FOREGOING PLAT SHALL BE KNOWN AND DESIGNATED AS THE BOULDERS, FIRST SECTION.
2. STREETS NOT HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO THE PUBLIC.
3. THERE ARE BUILDING LINES AS SHOWN ON THE PLAT AND NO STRUCTURE OR PART THEREOF SHALL BE ERECTED OR MAINTAINED BETWEEN SUCH BUILDING LINES AND THE PROPERTY LINES OF ANY STREET.
4. 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 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 LIMITATIONS 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 SUCH SIGHT LINES.
5. NO TRAILER, SHACK, SHED, TENT OR TEMPORARY BUILDING SHALL BE USED FOR TEMPORARY OR PERMANENT RESIDENCE ON ANY LOT IN THIS ADDITION, AND ANY GARAGE, TOOL SHED, OR DETACHED STORAGE BUILDING ERECTED OR USED ACCESSORY TO A RESIDENCE IN THIS ADDITION, SHALL BE OF A PERMANENT TYPE OF CONSTRUCTION AND CONFORM TO THE GENERAL ARCHITECTURE AND APPEARANCE OF SUCH RESIDENCE.
6. THERE ARE STRIPS OF GROUND AS SHOWN ON THE PLAT MARKED "DRAINAGE AND/OR UTILITY EASEMENTS" WHICH ARE RESERVED AS EASEMENTS FOR THE USE OF THE MUNICIPALITY IN WHICH THIS ADDITION IS LOCATED, AND PUBLIC UTILITY COMPANIES, FOR THE INSTALLATION, MAINTENANCE, USE, REPAIR, AND REMOVAL OF SEWERS, WATER MAINS, GAS MAINS, UTILITY POLES, WIRES AND OTHER FACILITIES AND UTILITIES NECESSARY OR INCIDENT TO THE COMMON WELFARE AND THE USE AND OCCUPANCE OF RESIDENTIAL PURPOSES OF THE HOUSES TO BE ERECTED IN THIS ADDITION. NO BUILDING OR OTHER STRUCTURE EXCEPT WALKS OR DRIVEWAYS SHALL BE ERECTED OR MAINTAINED UPON, OVER, UNDER OR ACROSS ANY SUCH UTILITY STRIP FOR ANY USE EXCEPT AS SET FORTH HEREIN AND OWNERS IN THIS ADDITION SHALL TAKE TITLE TO THE LAND CONTAINED IN SUCH UTILITY STRIPS SUBJECT TO THE PERPETUAL EASEMENTS HEREBY RESERVED.
7. NO BUILDING SHALL BE CONSTRUCTED NEARER TO ANY SIDE PROPERTY LINE THAN THE MINIMUM REQUIRED BY THE MARION COUNTY ZONING ORDINANCE. NO BUILDING SHALL BE ERECTED ON ANY LOT HEREIN HAVING A GROUND FLOOR AREA OF LESS THAN 1500 SQUARE FEET. IN THE CASE OF A ONE STORY STRUCTURE, OR 1100 SQUARE FEET IN THE CASE OF A TWO STORY STRUCTURE, PROVIDED HOWEVER THAT A DWELLING OTHER THAN A 2 STORY, CONSISTING OF SEPARATE LEVELS, SHALL HAVE NO LESS THAN A TOTAL OF 1500 SQUARE FEET EXCLUSIVE OF OPEN PORCHES AND GARAGES IN ALL CASES. THE SAME TOTAL OF 1500 SQUARE FEET SHALL ALSO APPLY TO A TWO (2) STORY RESIDENCE.
8. THE RIGHT TO ENFORCE THE FOREGOING PROVISIONS, RESTRICTIONS AND COVENANTS BOTH TO PREVENT THE VIOLATION THEREOF AND TO RECOVER DAMAGES IS HEREBY DEDICATED AND RESERVED TO THE OWNERS OF LOTS IN THIS ADDITION, THEIR HEIRS OR ASSIGNS, AND SHALL BE AND CONTINUE IN FULL FORCE AND EFFECT FOR A PERIOD OF 30 YEARS FROM THE DATE HEREOF AND MAY BE CONTINUED FOR SUCCESSIVE PERIODS OF 10 YEARS EACH BY A VOTE OF THE THEN OWNERS OF A MAJORITY OF THE TOTAL AREA OF THIS ADDITION. INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT. THE METROPOLITAN DEVELOPMENT COMMISSION SHALL HAVE THE RIGHT OF ENFORCEMENT OF THE FOREGOING COVENANTS.
9. THE EXISTING HOUSE IS AN EXCEPTION TO ITEM 3 AND ITEM 7 ABOVE. THE EXISTING HOUSE ON LOT 109 SHALL BE ALLOWED TO REMAIN. HOWEVER, ANY NEW CONSTRUCTION ON LOT 109 SHALL BE IN ACCORDANCE WITH THE NEW 30-FOOT BUILDING LINE.

PERFE, WALL, OR OTHER STRUCTURE SHALL BE ERRECTED, REBUILT OR REPAIR...
ON ANY BUILDING PLOT IN THEIR SUBDIVISION UNTIL THE BUILDING PLANS,
SPECIFICATIONS AND PLOT PLAN SHOWING THE LOCATION OF SUCH STRUCTURES
HAVE BEEN APPROVED AS TO THE CONFORMITY AND HARMONY OF EXTERNAL DESIGN
WITH EXISTING STRUCTURE HEREIN AND AS TO THE BUILDING WITH RESPECT TO
TOPOGRAPHY AND FINISHED GROUND ELEVATIONS BY AN ARCHITECTURAL AND
ENVIRONMENTAL CONTROL COMMITTEE. THE DESTRUCTION OF TREES AND VEGETATION
AND ANY OTHER SUCH MATTER AS MAY AFFECT THE ENVIRONMENT AND ECOLOGY OF
THE "THE BOULDERS" AREA SHALL BE THE PROPER CONCERN OF THE COMMITTEE.
THIS COMMITTEE SHALL BE COMPOSED OF THE UNDERSIGNED OWNERS OF THE HEREIN
DESCRIBED REAL ESTATE, OR BY THEIR DULY AUTHORIZED REPRESENTATIVES. IN
THE EVENT OF THE DEATH OR RESIGNATION OF ANY MEMBER OF SAID COMMITTEE,
THE REMAINING MEMBER OR MEMBERS SHALL HAVE FULL AUTHORITY TO APPROVE OR
DISAPPROVE SUCH DESIGN AND LOCATIONS, OR TO DESIGNATE A REPRESENTATIVE
WITH LIKE AUTHORITY. THE COMMITTEE'S APPROVAL, OR DISAPPROVAL, AS RE-
QUIRED IN THIS COVENANT SHALL BE IN WRITING. IN THE EVENT THAT SAID
WRITTEN APPROVAL IS NOT RECEIVED FROM THE COMMITTEE WITHIN 14 DAYS FROM
THE DATE OF SUBMISSION, IT SHALL BE DEEMED THAT THE COMMITTEE HAS DIS-
APPROVED THE PRESENTED PLAN. NEITHER THE COMMITTEE MEMBERS NOR THE
DESIGNATED REPRESENTATIVES SHALL BE ENTITLED TO ANY COMPENSATION FOR
SERVICES PERFORMED PURSUANT TO THIS COVENANT.

11. UTILITY BUILDING: A UTILITY BUILDING MAY BE CONSTRUCTED ON EACH
LOT, IF APPROVED BY THE ARCHITECTURAL AND ENVIRONMENTAL CONTROL COMMITTEE.
THIS UTILITY BUILDING IS TO BE CONSTRUCTED IN SUCH MANNER AS TO MEET THE
STANDARDS OF CONSTRUCTION AS USED IN THE CONSTRUCTION OF THE HOUSE. THE
UTILITY BUILDING SHALL BE LOCATED BEHIND THE MAIN DWELLING AND IN NO
INSTANCE SHALL THE UTILITY BUILDING BE LOCATED IN FRONT OR AT THE SIDE OF
THE MAIN DWELLING.

12. RECREATIONAL VEHICLES, BOATS, AND NON-USED VEHICLES: ALL BOATS,
NON-MOTORIZED RECREATIONAL VEHICLES AND NON-USED OR NON-OPERATIONAL VEHICLES
SHALL BE KEPT IN EITHER THE DWELLING, GARAGE, BARN, OR UTILITY BUILDING.

13. NUISANCES: NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED OUT
ON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE BECOME AN
ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

14. ANIMALS: NO ANIMALS, LIVESTOCK OR POULTRY SHALL BE RAISED, BRED
OR KEPT UPON ANY LOT EXCEPT THAN DOGS, CATS, OR OTHER HOUSEHOLD PETS MAY
BE KEPT, PROVIDED THAT THEY ARE NOT KEPT, BRED OR MAINTAINED FOR ANY
COMMERCIAL PURPOSES.

15. THE RESTRICTIONS, LIMITATIONS AND COVENANTS HEREIN CONTAINED
CONSTITUTE ALL SUCH RESTRICTIONS, LIMITATIONS AND COVENANTS IMPOSED UPON
THE LAND BY THE UNDERSIGNED AND SUPERSEDE, REPLACE AND VOID ANY SUCH
RESTRICTIONS, LIMITATIONS AND COVENANTS, VERBAL OR WRITTEN, WHICH MAY
HAVE BEEN PROPOSED OR WRITTEN, WHICH MAY HAVE BEEN PROPOSED OR IMPOSED
PRIOR TO THE DATE HEREOF BY THE UNDERSIGNED OR ITS AGENTS.

WITNESS OUR SIGNATURES AND CORPORATE SEAL THIS 17 DAY OF SEPTEMBER
1975.

YEAGER CONTRACTING COMPANY, INC.

BY Robert K. Yeager
ROBERT K. YEAGER
PRESIDENT

Virginia M. Yeager Asst Secy
VIRGINIA M. YEAGER
ASSISTANT SECRETARY & TREASURER

STATE OF INDIANA
1975
COUNTY OF MARION

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND
STATE, APPEARED YEAGER CONTRACTING CO., INC., BY ITS DULY AUTHORIZED
OFFICERS, ROBERT K. YEAGER, PRESIDENT, AND VIRGINIA M. YEAGER,
ASSISTANT SECRETARY AND 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 17 DAY OF SEPTEMBER 1975.

NOTARY PUBLIC Becky J. Waltemer

MY COMMISSION EXPIRES February 21, 1979