

VALLE VISTA

RESTRICTIVE COVENANTS THIRD SECTION

CONTRACTING CO., INC. BY ITS DULY AUTHORIZED
SER, PRESIDENT, AND VIRGINIA M. YEAGER, ASSISTANT
ATTACHED DESCRIBED REAL ESTATE, HEREBY LAY OFF,
REAL ESTATE DESCRIBED ON THE PRECEDING PAGES,
PLAT AND CERTIFICATE.

BE KNOWN AND DESIGNATED AS VALLE VISTA, THIRD

HEREFORE DEDICATED, ARE HEREBY DEDICATED TO

GROUND MARKED "UTILITY AND DRAINAGE STRIPS"
ARE HEREBY RESERVED FOR PUBLIC UTILITIES,
UTILITY COMPANIES, FOR THE INSTALLATION AND
MAINTENANCE OF MAINS, SEWERS, DRAINS, DUCTS, LINES AND
EASEMENTS HEREIN DESCRIBED. LOTS IN THIS SUBDIVISION SHALL TAKE THEIR
EASEMENTS HEREBY CREATED, AND SUBJECT AT
THE DISCRETION OF PROPER AUTHORITIES TO SERVICE THE
EASEMENTS HEREBY CREATED, AND NO PERMANENT
STRUCTURE AND NOT PART THEREOF, EXCEPT FENCES, SHALL
BE CONSTRUCTED ON SAID "UTILITY AND DRAINAGE STRIPS".

GROUND MARKED DRAINAGE EASEMENT WHICH ARE
HEREIN DESCRIBED FOR THE INSTALLATION AND MAINTENANCE OF DRAINAGE
EASEMENTS OF LOTS IN THIS SUBDIVISION SHALL TAKE
THEIR EASEMENT HEREBY CREATED AND SUBJECT
TO THE DISCRETION OF PROPER AUTHORITIES AND THE EASEMENTS HEREBY
CREATED. NO STRUCTURE OF ANY KIND SHALL BE BUILT,
CONSTRUCTED OR MAINTAINED ON SAID DRAINAGE EASEMENTS.

THE DESIGN AND THE USE OF THE LOTS IN THIS
SUBDIVISION AND FUTURE OWNERS OR OCCUPANTS SHALL
BE SUBJECT TO THE FOLLOWING CONDITIONS AND RESTRICTIONS, WHICH
SHALL BE BINDING ON ALL PARTIES.

DESIGNED EXCEPT FOR RESIDENTIAL PURPOSES AND
HEREIN DESCRIBED, DIRECTED, ALTERED, OR PLACED ON ANY LOT, OTHER
THAN A SINGLE FAMILY DWELLING NOT TO EXCEED TWO STORIES
AND GARAGE FOR NOT MORE THAN THREE (3) CARS.

STREET PROPERTY LINES, OR IN THE CASE OF A ROUNDED PROPERTY CORNER, FROM
THE POINT OF BEGINNING OF THE STREET PROPERTY LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL
APPLY TO ANY DRIVEWAY PAVEMENT.

15. NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE
CONSTRUCTED ON ANY LOT.

16. ANY FIELD TILE OR UNDERGROUND DRAIN WHICH IS ENCOUNTERED IN CONSTRUCTION
IMPROVEMENT WITHIN THIS SUBDIVISION SHALL BE PERPETUATED, AND ALL OWNERS OF
PROPERTY IN THIS SUBDIVISION AND THEIR SUCCESSORS SHALL COMPLY WITH THE INDIAN
CODE OF 1965, AND ALL AMENDMENTS THERETO.

17. ANY MOTOR VEHICLE WHICH IS INOPERATIVE AND NOT BEING USED FOR NORMAL
PURPOSES SHALL NOT BE PERMITTED TO REMAIN ON ANY LOT.

18. THE FINISHED YARD ELEVATION AT THE HOUSE SITE ON LOTS IN THIS SUBDIVISION
SHALL BE NOT LESS THAN ELEVATION 40.0, U.S.C. & G. DATUM.

19. THESE RESTRICTIONS ARE HEREBY DECLARED TO BE COVENANTS RUNNING WITH
THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM.
IF AT ANY TIME FOLLOWING RECORDATION, AN INSTRUMENT SIGNED BY A MAJORITY OF
THE OWNERS OF THE LOTS HAS BEEN RECORDED AGREEING TO CHANGE SAID COVENANTS IN WHOLE
OR IN PART, SUCH CHANGE SHALL BE BINDING ON ALL PARTIES.

20. ENFORCEMENT SHALL BE PROCEEDED AT LAW OR IN EQUITY AGAINST ANY
PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANTS EITHER TO RECOVER
DAMAGES, OR TO OBTAIN AN INJUNCTION TO ENFORCE ANY COVENANTS. NO JUDGEMENT
OBTAINED IN ENFORCEMENT OF ANY COVENANT SHALL IN ANY MANNER AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

WITNESS OUR HAND AND CORPORATE SEAL THIS _____ DAY OF _____

YEAGER CONTRACTING COMPANY, INC.

BY _____
VIRGINIA M. YEAGER, PRESIDENT

VALLE

RESTRICTIVE CO THIRD SECTIC

THE UNDERSIGNED, YEAGER CONTRACTING CO., INC. BY ITS DULY AUTHORIZED OFFICERS, ROBERT K. YEAGER, PRESIDENT, AND VIRGINIA M. YEAGER, ASSISTANT SECRETARY, OWNER OF THE ATTACHED DESCRIBED REAL ESTATE, HEREBY LAY OFF, PLAT AND SUBDIVIDE SAID REAL ESTATE DESCRIBED ON THE PRECEDING PAGES, IN ACCORDANCE WITH THE PLAT AND CERTIFICATE.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS VALLE VISTA, THIRD SECTION.

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

THERE ARE STRIPS OF GROUND MARKED "UTILITY AND DRAINAGE 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 THEIR TITLES 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 NOT PART THEREOF, EXCEPT FENCES, SHALL BE BUILT OR MAINTAINED ON SAID "UTILITY AND DRAINAGE STRIPS".

THERE ARE STRIPS OF GROUND MARKED DRAINAGE EASEMENT WHICH ARE HEREBY RESERVED FOR THE INSTALLATION AND MAINTENANCE OF DRAINAGE IMPROVEMENTS. PURCHASERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEIR TITLE SUBJECT TO THE EASEMENT HEREBY CREATED AND SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND THE EASEMENTS HEREBY CREATED, AND NO PERMANENT STRUCTURE OF ANY KIND SHALL BE BUILT, ERRECTED OR MAINTAINED ON SAID DRAINAGE EASEMENTS.

ALL 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.

1. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES AND NO BUILDING SHALL BE ERRECTED, ALTERED, OR PLACED ON ANY LOT, OTHER THAN ONE DETACHED SINGLE FAMILY DWELLING NOT TO EXCEED TWO STORIES IN HEIGHT AND A PRIVATE GARAGE FOR NOT MORE THAN THREE (3) CARS.
2. NO DWELLING SHALL BE PERMITTED ON ANY LOT UNLESS THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE STORY OPEN PORCHES AND GARAGES SHALL BE NOT LESS THAN 1500 SQUARE FEET FOR A ONE STORY DWELLING, NOR LESS THAN 1100 SQUARE FEET FOR A DWELLING OF MORE THAN ONE STORY.
3. NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE OR NEARER THE SIDE STREET LINE THAN THE MINIMUM BUILDING SET-BACK LINES AS SHOWN ON THE RECORDED PLAT. NO BUILDING SHALL BE LOCATED NEARER THAN 10 FEET TO A SIDE YARD LINE, AND THE TOTAL SIDE YARD SET-BACK (BOTH SIDES) MUST BE AT LEAST 25 FEET. A 5 FOOT SIDE YARD SET-BACK SHALL BE REQUIRED FOR AN ACCESSORY BUILDING NOT EXCEEDING 18 FEET IN HEIGHT AND IF DETACHED FROM THE PRINCIPAL BUILDING, IT SHALL BE LOCATED AT LEAST AS FAR BACK AS THE REAR OF THE PRINCIPAL BUILDING. NO BUILDING SHALL BE ERRECTED CLOSER THAN 25 FEET TO THE REAR LOT LINE.
4. NO BUILDING SHALL BE ERRECTED, PLACED OR ALTERED ON ANY LOT UNTIL THE CONSTRUCTION PLAN 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, HARMON OF EXTERNAL DESIGN WITH EXISTING STRUCTURES, AND AS TO LOCATION WITH RESPECT TO TOPOGRAPHY AND FINISH GRADE ELEVATIONS. NO FENCE OR WALL SHALL BE ERRECTED, PLACED OR ALTERED ON ANY LOT NEARER TO ANY STREET THAN THE MINIMUM BUILDING SETBACK LINE, UNLESS SIMILARLY APPROVED. APPROVAL SHALL BE AS PROVIDED IN PART 11.
5. 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. NEITHER THE MEMBERS OF THE COMMITTEE NOR THE DESIGNATED REPRESENTATIVE SHALL BE ENTITLED TO ANY COMPENSATION.

THE LINE OR NEARER THE SIDE STREET LINE THAN THE MINIMUM BUILDING SET-BACK LINES AS SHOWN ON THE RECORDED PLAT. NO BUILDING SHALL BE LOCATED NEARER THAN 10 FEET TO A SIDE YARD LINE, AND THE TOTAL SIDE YARD SET-BACK (BOTH SIDES) MUST BE AT LEAST 25 FEET. A 5 FOOT SIDE YARD SET-BACK SHALL BE REQUIRED FOR AN ACCESSORY BUILDING NOT EXCEEDING 18 FEET IN HEIGHT AND IF DETACHED FROM THE PRINCIPAL BUILDING, IT SHALL BE LOCATED AT LEAST AS FAR BACK AS THE REAR OF THE PRINCIPAL BUILDING. NO BUILDING SHALL BE ERECTED CLOSER THAN 25 FEET TO THE REAR LOT LINE.

4. NO BUILDING SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT UNTIL THE CONSTRUCTION PLAN 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 ELEVATIONS. NO FENCE OR WALL SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT NEARER TO ANY STREET THAN THE MINIMUM BUILDING SETBACK LINE, UNLESS SIMILARLY APPROVED. APPROVAL SHALL BE AS PROVIDED IN PART 11.

5. 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. NEITHER THE MEMBERS OF THE COMMITTEE NOR ITS DESIGNATED REPRESENTATIVES SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT. AT ANY TIME, THE THEN RECORDED OWNERS OF A MAJORITY OF THE LOTS SHALL HAVE THE POWER THROUGH A DULY RECORDED WRITTEN INSTRUMENT TO CHANGE THE MEMBERSHIP OF THE COMMITTEE OR TO WITHDRAW FROM THE COMMITTEE OR RESTORE TO IT ANY OF ITS POWERS AND DUTIES.

6. THE ARCHITECTURAL CONTROL COMMITTEE APPROVAL OR DISAPPROVAL AS REQUIRED IN THESE COVENANTS SHALL BE IN WRITING. IN THE EVENT THE COMMITTEE OR ITS DESIGNATED REPRESENTATIVES, FAILS 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 COMMENCED PRIOR TO THE COMPLETION THEREOF, APPROVAL WILL NOT BE REQUIRED AND THE RELATED COVENANTS SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.

7. WITH WRITTEN APPROVAL OF THE ARCHITECTURAL CONTROL COMMITTEE, AND WHERE, IN THE OPINION OF SAID COMMITTEE, THE LOCATION WILL NOT DETRACT MATERIALLY FROM THE APPEARANCE AND VALUE OF OTHER PROPERTIES, A DWELLING MAY BE LOCATED NEARER TO A STREET THAN ABOVE PROVIDED, BUT NOT NEARER THAN 25 FEET TO ANY STREET LINE.

8. 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.

9. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUT-BUILDINGS SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY. THE EXTERIOR SURFACE OF ALL BUILDINGS SHALL BE OF A MATERIAL DEMONSTRATED TO LAST AT LEAST 50 YEARS.

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, QUARRIES 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 ON ANY LOT. ALL GAS AND OIL TANKS MUST BE CONCEALED.

12. NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE RAISED, 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 USE.

13. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH OR GARBAGE. WASTE MATTER OR MATERIALS SHALL BE KEPT ONLY IN SANITARY CONTAINERS, AND 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 THE SIGHT LINES AT ELEVATIONS BETWEEN TWO AND SIX FEET ABOVE ROADWAYS SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET PROPERTY

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STREET PROPERTY LINES, OR IN THE CASE OF A BOUNDED PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET PROPERTY LINES EXTENDED, THE SAME 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 PAVEMENT.

15. NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT.

16. ANY FIELD TILE OR UNDERGROUND DRAIN WHICH IS ENCOUNTERED IN CONSTRUCTION OF ANY IMPROVEMENT WITHIN THIS SUBDIVISION SHALL BE PERPETUATED, AND ALL OWNERS OF LOTS IN THIS SUBDIVISION SUBDIVISION AND THEIR SUCCESSORS SHALL COMPLY WITH THE INDIANA DRAINAGE CODE OF 1965, AND ALL AMENDMENTS THERETO.

17. ANY MOTOR VEHICLE WHICH IS IMOPERATIVE AND NOT BEING USED FOR NORMAL TRANSPORTATION SHALL NOT BE PERMITTED TO REMAIN ON ANY LOT.

18. THE FINISHED YARD ELEVATION AT THE HOUSE SITE ON LOTS IN THIS SUBDIVISION SHALL BE NOT LESS THAN ELEVATION 70.5, S. S. DATUM.

19. THESE RESTRICTIONS ARE HEREBY DECLARED TO BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM FOR A PERIOD OF TWENTY-FIVE (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 AT ANY TIME FOLLOWING RECORDATION, AN INSTRUMENT SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS HAS BEEN RECORDED AGREEING TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.

20. ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANTS EITHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGES. 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.

WITNESS OUR HAND AND CORPORATE SEAL THIS 7th DAY OF July, 1974.

YEAGER CONTRACTING COMPANY, INC.

By Robert K. Yeager
ROBERT K. YEAGER, PRESIDENT

Virginia M. Yeager
VIRGINIA M. YEAGER, ASSISTANT SECRETARY

STATE OF INDIANA

SS:

COUNTY OF JOHNSON

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, APPEARED YEAGER CONTRACTING COMPANY, INC. BY ITS DULY AUTHORIZED OFFICERS, ROBERT K. YEAGER, PRESIDENT, AND VIRGINIA M. YEAGER, ASSISTANT SECRETARY, 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 HERETO.

WITNESS MY HAND AND NOTARIAL SEAL THIS 7th DAY OF July, 1974.

NOTARY PUBLIC Robert K. Yeager

MY COMMISSION EXPIRES _____

THIS PLAT WAS APPROVED BY THE CITY OF GREENWOOD, JOHNSON COUNTY, INDIANA AS FOLLOWS:

APPROVED BY THE CITY OF GREENWOOD PLANNING COMMISSION AT A MEETING HELD

ON July 26 DAY OF July, 1974.

Robert K. Yeager
ROBERT K. YEAGER, CHAIRMAN

Virginia M. Yeager
VIRGINIA M. YEAGER, SECRETARY