

WELLINGTON HEIGHTS

SECOND SECTION

NOTE: O DENOTES 4 X 4 X 36 CONCRETE MONUMENT

7892
RECEIVED FOR RECORD
 AT 3:35 O'CLOCK P.M.
 JUL 6 1967
 BOOK 3 PAGES 1-25
Charlotte E. Hall
 RECORDER HAMILTON COUNTY, INDIANA

CERTIFICATE OF SURVEY

THE UNDERSIGNED, BEING A DULY REGISTERED LAND SURVEYOR IN THE STATE OF INDIANA, HEREBY CERTIFY THE WITHIN PLAT TO BE TRUE AND CORRECT, REPRESENTING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 13 NORTH, RANGE 4 EAST, IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 13 NORTH, RANGE 4 EAST; THENCE NORTH 00°13'30" WEST (ASSUMED BEARING) ON AND ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER 1145.66'; THENCE NORTH 09°19'57" WEST 444.00 FEET TO THE PLACE OF BEGINNING OF THIS TRACT; THENCE SOUTH 48°00'00" WEST 88.87 FEET; THENCE SOUTH 41°11'21" WEST 30.60 FEET; THENCE SOUTH 48°00'00" WEST 128.00 FEET TO THE NORTHEASTMOST CORNER OF LOT #8 IN "WELLINGTON HEIGHTS, FIRST SECTION"; THENCE SOUTH 67°56'30" WEST ON AND ALONG THE NORTHEASTLY LINE OF SAID LOT #9, 105.24 FEET; THENCE SOUTH 71°40' WEST 66.34 FEET; THENCE SOUTH 48°00' WEST 80.23 FEET; THENCE SOUTH 48°00' EAST 31.81 FEET TO THE NORTHWESTERLY LINE OF LOT #10 IN SAID "WELLINGTON HEIGHTS, FIRST SECTION"; THENCE SOUTH 48°00' WEST ON AND ALONG THE NORTHERLY LINE OF LOTS #13 AND #14 IN SAID "WELLINGTON HEIGHTS, FIRST SECTION"; THENCE SOUTH 48°00' WEST ON AND ALONG THE NORTH LINE OF LOT #15 IN SAID "WELLINGTON HEIGHTS, FIRST SECTION"; THENCE SOUTH 48°00' WEST ON AND ALONG THE NORTH LINE OF LOT #16 IN SAID "WELLINGTON HEIGHTS, FIRST SECTION"; THENCE SOUTH 48°00' WEST ON AND ALONG THE CENTERLINE OF STATE ROAD #37A; THENCE NORTHERLY ON AND ALONG SAID CENTERLINE OF STATE ROAD #37A ON A CURVE TO THE LEFT WITH A RADIUS OF 2891.62 FEET, 118.83 FEET TO ITS POINT OF TANGENCY; THENCE NORTH 02°41'30" WEST ON AND ALONG SAID CENTERLINE OF STATE ROAD #37A, 507.06 FEET; THENCE NORTH 09°25'30" EAST 342.71 FEET; THENCE SOUTH 00°10'10" EAST 173.95 FEET TO THE PLACE OF BEGINNING, CONTAINING 10.63 ACRES, MORE OR LESS, SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS OF WAY.

THIS SUBDIVISION CONSISTS OF 17 LOTS, NUMBERED FROM 16 TO 32, INCLUSIVE, WITH STREETS AS SHOWN HEREON. THE SIZE OF LOTS AND WIDTH OF STREETS ARE SHOWN IN FIGURES DENOTING FEET AND DECIMAL PARTS THEREOF.

CERTIFIED JUNE 14, 1967
Allan H. Weine
 ALLAN H. WEINE, ERS, L.S. - IND. #10398

OWNER AND SUBDIVIDER:
 WELLINGTON HEIGHTS, INC.

Allan H. Weine
 ALLAN H. WEINE, PRESIDENT

John H. Mohr
 JOHN H. MOHR, SECRETARY

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED WELLINGTON HEIGHTS, INC., BY ALLAN H. WEINE AND JOHN H. MOHR, WHO ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND NOTARIAL SEAL THIS 13 DAY OF JUNE, 1967.
Allan H. Auman
 NOTARY PUBLIC
 MY COMMISSION EXPIRES 12-16-1-1969

NOTE: PROTECTIVE COVENANTS TO BE RECORDED AS SHEET 2 OF THIS PLAT.

COMMISSION CERTIFICATE:

UNDER AUTHORITY PROVIDED BY CHAPTER 17A, ACTS OF 1967, ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THEREOF, AND AN ORDINANCE ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NOBLESVILLE, INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE CITY OF NOBLESVILLE AS FOLLOWS:

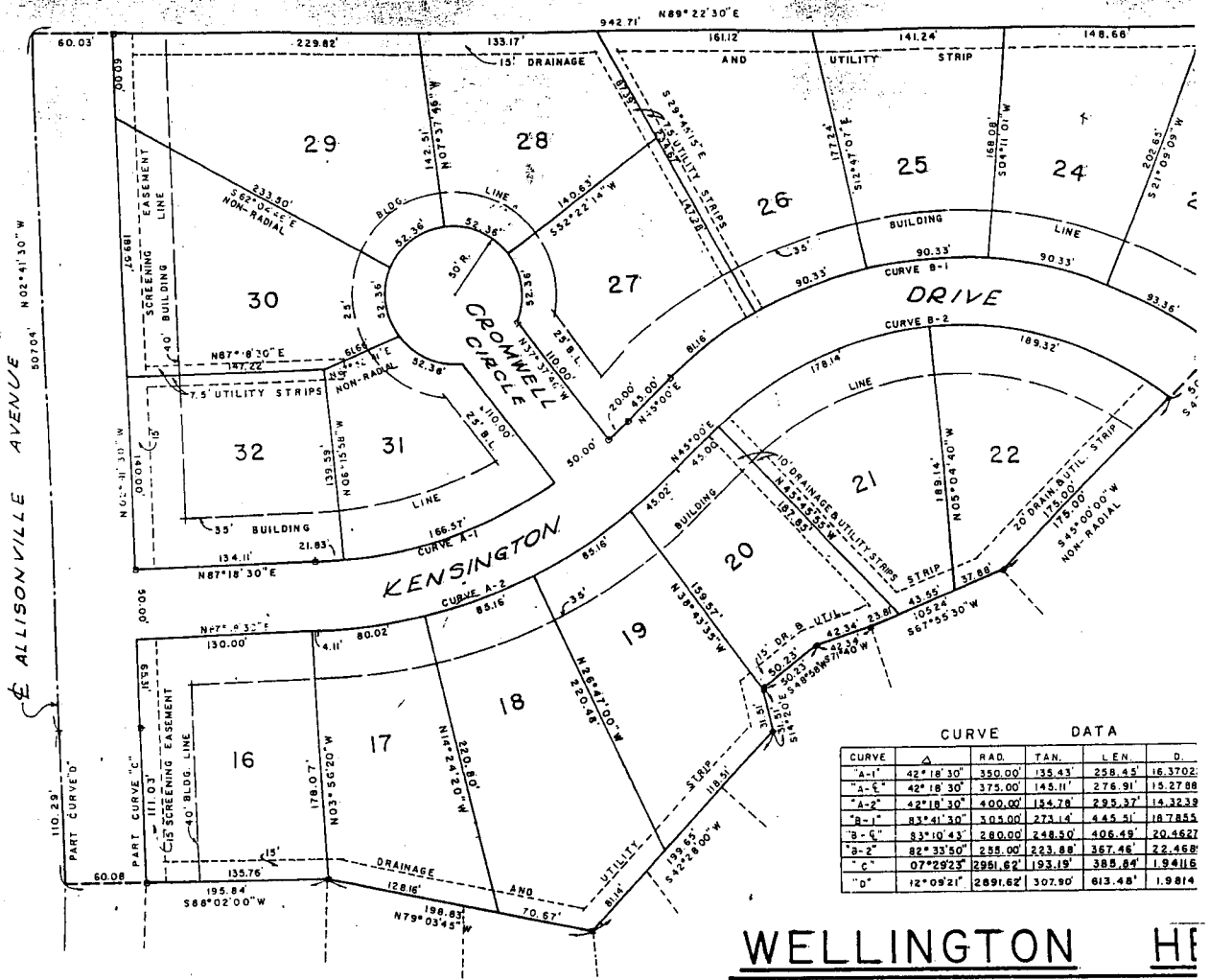
ADOPTED BY THE CITY PLAN COMMISSION AT A MEETING HELD JUNE 14, 1967.
 NOBLESVILLE CITY PLAN COMMISSION
G. F. Farberly
 PRESIDENT
William L. Kern
 SECRETARY

COUNTY COMMISSIONERS' CERTIFICATE:

UNDER AUTHORITY PROVIDED BY CHAPTER 47, ACTS OF 1961, OF THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, INDIANA, AT A MEETING HELD ON _____

Allen H. Weine
 CLARENCE HART, JR.
Bob Davis
 ATTEST
John Randall
 JOHN RANDALL, COUNTY JUDITOR

See Amendment to Covenants see BK. 152 PG 316



**WELLINGTON HEIGHTS
SECOND SECTION**

NOTE: □ DENOTES 4 X 4 X 36 CONCRETE MONUMENT

CERTIFICATE OF SURVEY

I, THE UNDERSIGNED, BEING A DULY REGISTERED LAND SURVEYOR IN THE STATE OF INDIANA, HEREBY CERTIFY THE WITHIN PLAT TO BE TRUE AND CORRECT REPRESENTING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 13 NORTH, RANGE 4 EAST, IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 13 NORTH, RANGE 4 EAST; THENCE NORTH 00°13'30" WEST (ASSUMED BEARING) ON AND ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 1195.64'; THENCE NORTH 09°18'37" WEST 444.00 FEET TO THE PLACE OF BEGINNING OF THIS TRACT; THENCE SOUTH 48°00'00" WEST 88.77 FEET; THENCE SOUTH 41°11'21" WEST 31 FEET; THENCE SOUTH 45°00'00" WEST 175.00 FEET TO THE NORTHEASTMOST CORNER OF LOT #9 IN WELLINGTON HEIGHTS, FIRST SECTION; THENCE SOUTH 67°55'30" WEST ON AND ALONG THE NORTHERLY LINE OF SAID LOT #9, 105.24 FEET; THENCE SOUTH 71°40' WEST 45.38 FEET; THENCE SOUTH 40°55' WEST 50.23 FEET; THENCE SOUTH 14°20' EAST 31.91 FEET TO THE NORTHWESTLY LINE OF LOT #10 IN SAID WELLINGTON HEIGHTS, FIRST SECTION; THENCE SOUTH 42°28' WEST ON AND ALONG THE NORTHERLY LINE OF LOTS #11 AND #12 IN SAID WELLINGTON HEIGHTS, FIRST SECTION, 189.68 FEET; THENCE NORTH 78°03' WEST ON AND ALONG THE NORTH LINE OF LOT #13 AND #14 IN SAID WELLINGTON HEIGHTS, FIRST SECTION, 189.68 FEET; THENCE SOUTH 43°02' WEST ON AND ALONG THE NORTH LINE OF LOT #15 IN SAID WELLINGTON HEIGHTS, FIRST SECTION, AND ITS EXTENSION, 195.24 FEET TO THE CENTERLINE OF STATE ROAD #37A; THENCE NORTH 89°22'30" EAST 942.71 FEET; SOUTH 00°48'10" EAST 173.65 FEET TO THE PLACE OF BEGINNING, CONTAINING 10.63 ACRES, MORE OR LESS, SUBJECT TO ALL LEGAL EASES AND RIGHTS OF WAY.

THIS SUBDIVISION CONSISTS OF 17 LOTS NUMBERED FROM 16 TO 32, INCLUSIVE, WITH STREETS AS SHOWN HEREON. THE SIZE OF LOTS AND WIDTH OF STREETS ARE SHOWN IN FIGURES DENOTING FEET AND DECIMAL PARTS THEREOF.

CERTIFIED JUNE 14, 1967

Allan H. Weine
ALLAN H. WEINE, REG. L.S. - IND. #10390

OWNER AND SUBDIVIDER:
WELLINGTON HEIGHTS, INC.

Allan H. Weine
ALLAN H. WEINE, PRESIDENT

Joyce M. Weine
JOYCE M. WEINE, SECRETARY

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED WELLINGTON HEIGHTS, INC., BY ALLAN H. WEINE AND JOYCE M. WEINE, WHO ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND NOTARIAL SEAL THIS 3 DAY OF JUNE, 1967.

Allene Auman
ALLENE AUMAN
NOTARY PUBLIC

MY COMMISSION EXPIRES 2-26-1-1969

NOTE: PROTECTIVE COVENANTS TO BE RECORDED AS SHEET 2 OF THIS PLAT.

COMMISSION CERTIFICATE:
UNDER AUTHORITY PROVIDED BY CHAPTER 174 - ACT 2, ASSEMBLY OF THE STATE OF INDIANA, THEREBY, AND AN ORDINANCE ADOPTED BY THE CITY OF NOBLESVILLE, INDIANA, THIS PLAT WAS GIVEN APPROVAL AS FOLLOWS:

ADOPTED BY THE CITY PLAN COMMISSION AT A MEETING HELD ON JUNE 14, 1967.
NOBLESVILLE, INDIANA
J. J. Feiler
PRESIDENT
William L. ...
SECRETARY

COUNTY COMMISSIONERS' CERTIFICATE:
UNDER AUTHORITY PROVIDED BY CHAPTER 47, ACT 1, ASSEMBLY OF THE STATE OF INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, INDIANA, AT A MEETING HELD ON JUNE 14, 1967.

Calvin Matt
CALVIN MATT, JR.
Floyd Carson
FLOYD CARSON

NOTE: This Survey Should Not Be Used To Determine Property Lines Unless Survey Points Are Indicated.

CIVIL ENGINEERS
10818 NORTH COLLEGE AVE
INDIANAPOLIS, INDIANA

TELEPHONE 846-6100



WEIHE ENGINEERS

PROTECTIVE COPY

The undersigned, WELLINGTON HEIGHTS, 1 and Joyce M. Weihe, Secretary, of Hamilton County, Ohio, do hereby certify that the owners of record of all of the above described plat, and subdivide into lots and streets such tract use any of such streets not previously dedicated. The following restrictions, limitations, and covenants shall run with the land contained in such plat.

The within plat shall be known and designated as SECOND SECTION, a subdivision in Hamilton County, Ohio.

All lots in this subdivision are reserved for use other than a one family residence or structure or shall be erected thereon.

Not more than one building shall be erected on any lot in this subdivision.

The ground floor area of the main structure, and garages, shall be not less than sixteen hundred and a one-story structure, nor less than twelve hundred of a multiple story structure, provided no structure have less than an aggregate of two thousand (2000) floor area. All garages shall be attached to the rear of two car size.

No trailer, tent, shack, attached shed, base or other structure shall be used for temporary or permanent residence. An attached garage, tool shed, or detached storage accessory to a residence in this subdivision shall conform to the general architectural and engineering standards.

No fences shall be erected in this subdivision or property lines of the streets as shown on the within plat. The Architectural Control Committee, which fence height and shall be of a decorative nature.

The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than ~~sixteen~~ hundred (1600) square feet in the case of a one-story structure, nor less than twelve hundred (1200) square feet in the case of a multiple story structure, provided no structure of more than one story shall have less than an aggregate of two thousand (2000) square feet of finished and liveable floor area. All garages shall be attached to the residence dwelling and be a minimum of two car size.

No trailer, tent, shack, attached shed, basement, garage, or temporary building shall be used for temporary or permanent residence on any lot in this subdivision. An attached garage, tool shed, or detached storage building erected or used as an accessory to a residence in this subdivision shall be of a permanent type of construction and conform to the general architectural and appearance of such residence.

No fences shall be erected in this subdivision between the building lines and the property lines of the streets as shown on the within plat, except with approval of the Architectural Control Committee, which fences shall not exceed 42 inches in height and shall be of a decorative nature.

No building, structure or accessory building shall be erected closer to the side of any lot than 10 feet; however, any proposed construction closer than 15 feet to the side of any lot must be approved by the Building Committee. Where buildings are erected on more than one single lot this restriction shall apply to the side lines of the extreme boundaries of the multiple lots.

No structure in this subdivision shall exceed 2 1/2 stories or 25 feet in height measured from finish grade to the under side of eave line, and no structure other than an open porch shall be erected between the building line as designated on the plat and the property line of the street.

No building shall be erected or moved upon any lot in this subdivision until building plans, plat plans, and specifications of such structure proposed have been approved in writing by the Architectural Control Committee.

The type of residential dwelling in this subdivision shall be restricted to all or part stone or brick veneer type of construction, except that a partial frame dwelling may be constructed upon any lot in this subdivision provided said combination of stone or brick veneer and frame shall not exceed fifty (50) per cent frame of the dwelling.

SUBDIVISIONS
STREET DESIGN
LAND SURVEYS
SITE SURVEYS

NOTE: This Survey Should Not
Be Used To Determine
Property Lines Unless
Survey Points Are Indi-
cated.

WEIHE ENGINEERS, INC.

CIVIL ENGINEERS

LAND SURVEYORS

SUBDIVISIONS
STREET DESIGN
LAND SURVEYS
SITE SURVEYS



10818 NORTH COLLEGE AVE

INDIANAPOLIS, INDIANA 46260

TELEPHONE 846-6135

Until such time as a sanitary sewerage system is installed in this subdivision, sanitary septic tank with adequate absorption bed or dry well shall be installed for each dwelling erected. Such septic tank absorption bed and/or dry well shall be of such a type and construction and so located on the land as to be approved in writing by the Public Health Authorities and the Architectural Control Committee. No other sanitary project or device for sewer disposal shall be permitted or used in this subdivision unless prior approval is obtained from said committee and the same is approved by the proper regulatory authorities.

No lot in this subdivision shall be used or maintained as a dumping ground for rubbish, trash, garbage, or other waste, and shall not be kept, except in sanitary containers.

The right to enforce the within restrictions, limitations, and covenants by injunction is hereby dedicated and reserved to owners of lots in this subdivision, their heirs and assigns, who shall be entitled to such a relief without being required to show any damage of any kind to any such owner or owners, by or through any such violation or attempted violation. Said provisions shall be and continue in full force and effect for a period of twenty (20) years from the date of this plat and thereafter unless and until by a vote of the then owners of a two-thirds majority of the total lots in this subdivision it is agreed to change the covenants in whole or in part. 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 signatures this 3rd day of July, 1967

Allan H. Weihe
ALLAN H. WEIHE, President

Joyce M. Weihe
JOYCE M. WEIHE, Secretary

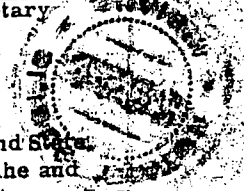
STATE OF INDIANA SS
COUNTY OF HAMILTON

Before me the undersigned, a Notary Public in and for said County and State, personally appeared WELLINGTON HEIGHTS, INC., by Allan H. Weihe and Joyce M. Weihe, who acknowledged the execution of the foregoing instrument as their voluntary act and deed for the uses and purposes therein expressed.

Witness my hand and Notarial Seal this 3rd day of July, 1967

Allene Auman
NOTARY PUBLIC

ALLENE AUMAN 3-1-69



NOTE: This Survey Should Not Be Used To Determine Property Lines Unless Survey Points Are Indicated.

WEIHE ENGINEERS, INC.

CIVIL ENGINEERS

LAND SURVEYORS



10515 NORTH COLLEGE AVE.

INDIANAPOLIS, INDIANA 46280

TELEPHONE 846-6135

SUBDIVISIONS
STREET DESIGN
LAND SURVEYS
SITE SURVEYS

NOTE: This Survey Should Not Be Used To Determine Property Lines Unless Survey Points Are Indicated.

10515

No building shall be erected, placed or altered on any building plot in this subdivision until the building plans, specifications and plat plan showing the location of such building have been approved as to the conformity and harmony of external design with existing structures herein and as to the building with respect to topography and finished ground elevation, by a committee 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 location, or to designate a representative with like authority. If the committee fails to act upon any plans submitted to it for its approval within a period of fifteen (15) days from the submission date of the same, the owner may proceed then with the building according to the plans as approved. Neither the committee members nor the designated representatives shall be entitled to any compensation for services performed pursuant to this covenant.

The utility strips shown on the within plat are reserved as easements for use of city or county in which this subdivision is located, owners in this subdivision, and public utility companies for the installation, use, maintenance, repair, and removal of sewers, water mains, utility poles, wires, and other facilities and utilities necessary or incidental to the common welfare and use and occupancy for residential purposes of the houses to be erected in this subdivision. 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 subdivision shall take their title to the land contained in such utility strip subject to the perpetual easement herein reserved.

The drainage easements shown on the within plat are reserved for the drainage of storm water, whether by swale, ditch, or storm sewer. No structure other than storm water drainage structures, retaining walls, or elevated walks and drive-ways shall be erected in, on, over, under, or across any such easement; except that a drainage easement may also be used as a utility strip, and structures permitted in a utility strip may be erected therein provided that they do not interfere with the flow of water. Owners in this subdivision shall take their title to the land contained in such drainage easement subject to the perpetual easement herein reserved.

In the event storm water drainage from any lot or lots flows across another lot, provision shall be made to permit such drainage to continue, without restriction or reduction, across the downstream lot and into the natural drainage channel or course, even though no specific drainage easement for such flow of water is provided on said plat.

No animals, livestock, or poultry of any description 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 commercial purposes.

All structures shall be completed on the exterior within six (6) months from start of construction including two (2) coats of paint or varnish on any exterior wood surface. All structures must be completed, and site graded, sodded or seeded, and reasonably landscaped, within one (1) year from date of commencement thereof. During the period of construction the premises shall be kept and maintained in a slightly and orderly manner.

Until such time as sanitary septic tank for each dwelling erected such a type and construction by the Public Health sanitary project or subdivision unless approved by the prop

No lot in this subdivision shall be used for rubbish, trash, garbage containers.

The right to enforce injunction is hereby c their heirs and assign to show any damage c such violation or atte force and effect for a thereafter unless and of the total lots in thi in part. Invalidation in no wise affect any effect.

Witness our signature

ALLAN H. WEIHE, I

STATE OF INDIANA
COUNTY OF HAMILT

Before me the unders personally appeared Joyce M. Weihe, who their voluntary act ar

Witness my hand and