

VISIONS  
DESIGN  
SURVEYS

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

WEIHE ENGINEERS, INC.

CIVIL ENGINEERS

LAND SURVEYORS



10515 NORTH COLLEGE AVE

INDIANAPOLIS, INDIANA 46280

TELEPHONE 846-6138

SUBDIVISIONS  
STREET DESIGN  
LAND SURVEYS  
SITE SURVEYS

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.

No building shall be erected, placed or altered on any building plot in this subdivision until the building plans, specifications and plot 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, placed, or altered 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 easements 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 structures for 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 easements subject to the perpetual easement herein reserved.

In the event storm water drainage from any lot or lots flows across any 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.

Survey Points Are Indicated  
Sited.

CIVIL ENGINEERS

LAND SURVEYORS

ENGINEERS

SITE PLANS

10515 NORTH COLLEGE AVE.

INDIANAPOLIS, INDIANA 46280

TELEPHONE 846-6135

### PROTECTIVE COVENANTS

The undersigned, WELLINGTON HEIGHTS, INC., by Allan H. Wells, President, and Joyce M. Wells, Secretary, of Hamilton County in the State of Indiana, being the owners of record of all of the above described tract of land do hereby lay off, plat, and subdivide into lots and streets such tract and do hereby dedicate for public use any of such streets not previously dedicated, in accordance with the within plat. The following restrictions, limitations, and covenants are hereby imposed upon and shall run with the land contained in such plat.

The within plat shall be known and designated as WELLINGTON HEIGHTS THIRD SECTION, a subdivision in Hamilton County, State of Indiana.

All lots in this subdivision are reserved for residential use, and no buildings other than a one family residence or structure or facility accessory in use thereto shall be erected thereon.

Not more than one building shall be erected or used for residential purposes on any lot in this subdivision.

The ground floor area of the main structure, exclusive of one story open porches and garages, shall be not less than fourteen thousand (14,000) square feet in the case of a one story structure, nor less than nine hundred (900) 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 eighteen hundred (1800) square feet of finished and livable 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 not including basement, 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.

Wellington Heights - Sec 3

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

WEIHE ENGINEERS, INC.

CIVIL ENGINEERS

LAND SURVEYORS



10615 NORTH COLLEGE AVE.

INDIANAPOLIS, INDIANA 46220

TELEPHONE 846-6138

SUBDIVISIONS  
STREETS  
LAND SURVEYS  
SITE SURVEYS

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 grounds 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 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 by the Public Health Authorities. No other sanitary project or device for sewer disposal shall be permitted or used in this subdivision unless prior approval is obtained from 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 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. These 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 until and unless by the vote of the two-thirds majority of the owners of the lots in this subdivision it is agreed to change the covenants in whole or in part. No violation of any one of these covenants by judgement or court shall be deemed to affect any of the other provisions which shall remain in full force and effect.

Witness our signatures this 3rd day of June, 1968.

*Allan H. Weihe*  
ALLAN H. WEIHE, President

*Joyce M. Weihe*  
JOYCE M. WEIHE, Secretary



STATE OF INDIANA 36  
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, President, and Joyce M. Weihe, Secretary, 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 May, 1968.

*Esther Hill*  
NOTARY PUBLIC ESTHER HILL  
My commission expires Aug 14, 1969



Recorded in Book 100, Page 100 by Allan H. Weihe and Joyce M. Weihe