

Wellington Heights - See 4

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

WEIHE ENGINEERS, INC.

CIVIL ENGINEERS

LAND SURVEYORS



10616 NORTH COLLEGE AVE.

INDIANAPOLIS, INDIANA 46280

TELEPHONE 846-6138

SUBDIVISIONS
STREET DESIGN
LAND SURVEYS
SITE SURVEYS

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 judgment 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 5th day of October, 1970.

Allan H. Weihe
Allan H. Weihe, President

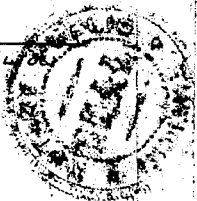
Joyce M. Weihe
Joyce M. Weihe, Secretary

STATE OF INDIANA
SS
COUNTY OF HAMILTON

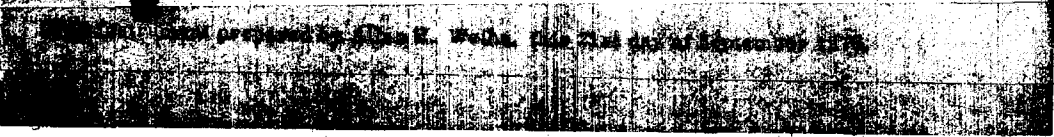
Before me the undersigned, a Notary Public in and for said County and State, personally appeared WELLINGTON HEIGHTS, INC., by Allan H. Weihe and Joyce M. Weihe, who acknowledged the execution of the foregoing instrument as their voluntary act and deed for the used and purposes therein expressed.

Witness my hand and Notarial Seal this 5th day of October, 1970.

Thomas C. Dalton
Notary Public



MARCH 12, 1973
Commission Expires



Wellington Heights - Sec 4

WEIHE ENGINEERS, INC.

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LAND SURVEYORS



10518 NORTH COLLEGE AVE.

INDIANAPOLIS, INDIANA 46280

TELEPHONE 848-6135

SUBDIVISION
STREET DESIGN
LAND SURVEY
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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.

It shall be the duty of the owner of each lot in the subdivision to keep the grass on the lot properly cut and to keep the lot free from weeds and trash and otherwise neat and attractive in appearance. Should any owner fail to do so then Developer may take such action as it deems appropriate in order to make the lot neat and attractive, and the owner shall upon demand reimburse Developer for the expense incurred in so doing.

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 type and construction and so located on the land as to be approved in writing by the Public Health Authorities or 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.

10818 NORTH COLLEGE AVE. INDIANAPOLIS, INDIANA 46280
TELEPHONE 848-6138

PROTECTIVE COVENANTS

The undersigned, WELLINGTON HEIGHTS, INC., by Allan H. Weihe, President, Allan H. Weihe, Secretary, of Hamilton County in the State of Indiana, being the owner of all of the above described tract of land do hereby lay off, plat, and divide into lots and streets such tracts and do hereby dedicate for public use any of the same not previously dedicated, in accordance with the within plat. The following conditions, limitations, and covenants are hereby imposed upon and shall run with the land as shown in such plat.

This plat shall be known and designated as WELLINGTON HEIGHTS, FOURTH DIVISION in Hamilton County, State of Indiana.

The lots in this subdivision are reserved for residential use, and no building or structure or facility accessory in use thereon shall be erected or used thereon which is not primarily for residential purposes.

On one building shall be erected or used for residential purposes on any lot in this subdivision.

The finished floor area of the main structure, exclusive of one-story open porches, shall be not less than fifteen hundred (1500) square feet in the case of a one-story structure, nor less than one thousand (1000) square feet in the case of a two-story structure, provided no structure of more than one-story shall have less than one thousand eight hundred (1800) square feet of finished and liveable floor area.

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

Fences shall be erected in this subdivision between the building lines and 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 the lot than 15 feet. However, any proposed construction closer than 15 feet shall be approved by the Architectural Control Committee. Where there are more than one single lot this restriction shall apply to the side lines and boundaries of the multiple lots.

No building in this subdivision shall exceed 2 1/2 stories or 25 feet in height above finished grade to the under side of eave line, and no structure other than a 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, placed or altered on any building plot in this subdivision unless 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 architecture and as to the building with respect to topography and finished ground level, by the Architectural Control Committee composed of the undersigned owner's 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 members shall have full authority to approve or disapprove such design and location, and shall designate a representative with like authority. If the committee fails to act upon