

# WHISPERING TRAILS

## THIRD SECTION

### GREENWOOD, INDIANA

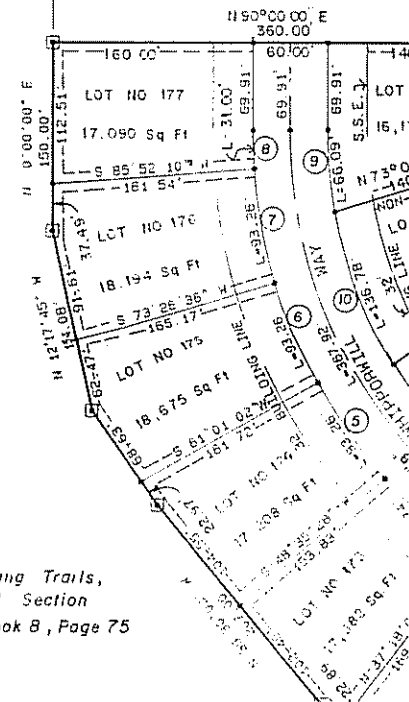
LOT CURVE DATA

NO	DELTA	RADIUS	TANGENT	ARC	CHORD	CHORD BEARING
1	12°53'35"	405.33	45.80	91.21	91.02	N48°01'26"E
2	04°56'53"	405.33	17.51	35.00	34.99	N39°46'26"E
3	07°26'18"	375.33	22.45	44.83	44.80	S41°00'40"W
4	11°17'28"	430.00	42.51	84.74	84.60	N47°03'16"W
5	12°25'34"	430.00	46.81	93.26	93.07	N35°11'45"W
6	12°25'34"	430.00	46.81	93.26	93.07	N22°46'11"W
7	12°25'34"	430.00	46.81	93.26	93.07	N10°20'37"W
8	04°07'50"	430.00	15.51	31.00	30.99	N02°03'55"W
9	10°14'03"	370.00	33.13	66.09	66.00	S05°07'02"E
10	21°10'51"	370.00	69.18	136.78	136.00	N20°49'29"W
11	20°54'19"	370.00	68.26	135.00	134.25	N41°52'04"W
12	00°22'47"	370.00	1.23	2.45	2.45	N52°30'37"W

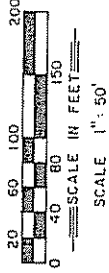
STREET CENTERLINE CURVE DATA

CURVE	DELTA	RADIUS	TANGENT	ARC	CHORD	CHORD BEARING
A	07°26'18"	375.33	24.40	48.73	48.69	N41°00'42"E
B	52°42'00"	400.00	198.13	367.92	355.08	N26°21'00"W

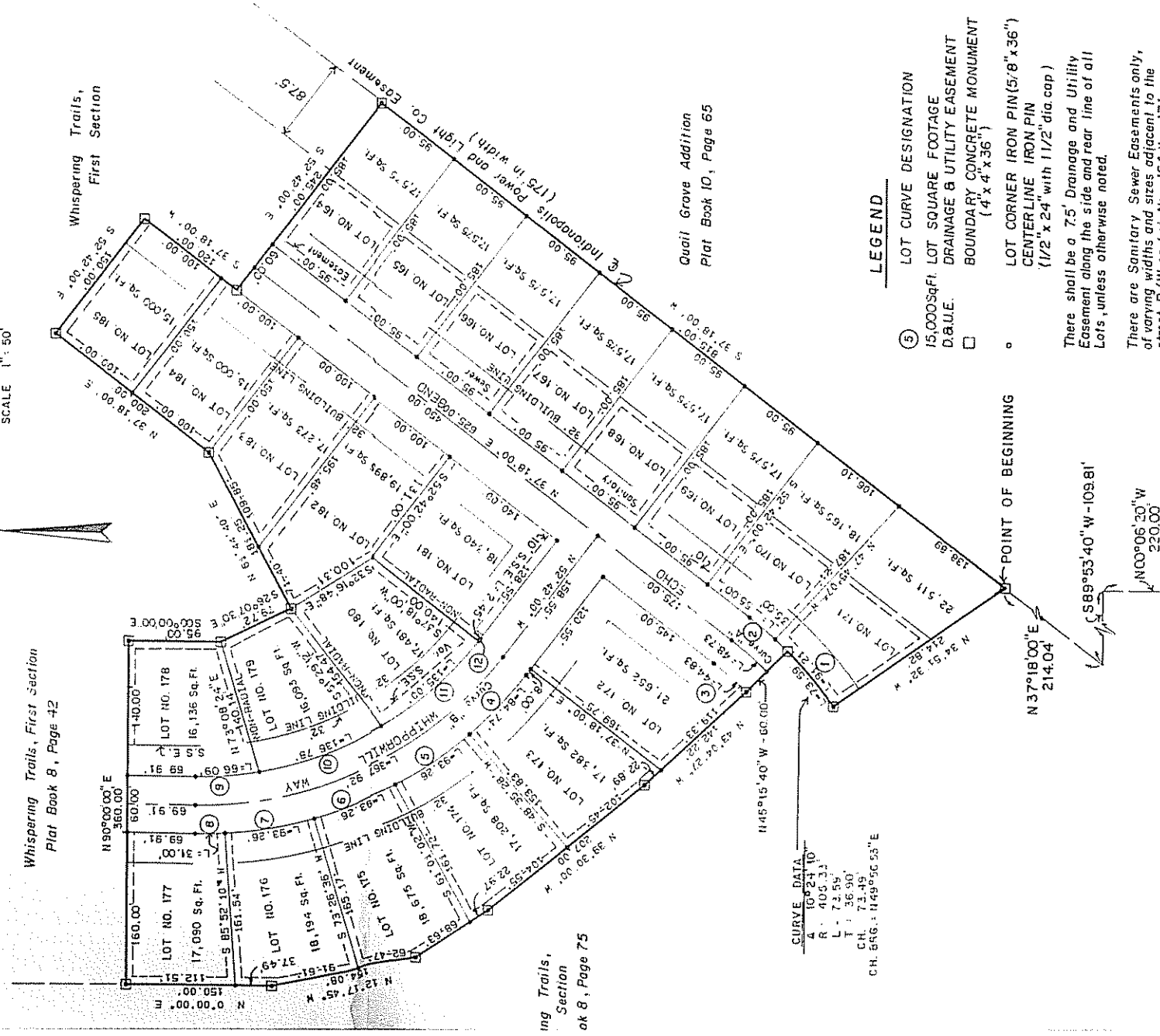
Whispering Trails, First  
Plat Book 8, Page 4



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Second Section  
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Whispering Trails, First Section  
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Whispering Trails,  
Second Section  
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CURVE DATA  
 Δ 160.2410  
 R 405.3171  
 L 73.55  
 CH 73.49  
 CIRC. 1145°56.55"E

**LEGEND**

- (5) LOT CURVE DESIGNATION
- 15,000sqFt LOT SQUARE FOOTAGE
- D.A.U.E. DRAINAGE & UTILITY EASEMENT
- BOUNDARY CONCRETE MONUMENT (4' x 4' x 36")
- LOT CORNER IRON PIN (5/8" x 36") CENTERLINE IRON PIN (1/2" x 24" with 1 1/2" dia. cap)

There shall be a 7.5' Drainage and Utility Easement along the side and rear line of all Lots, unless otherwise noted.

There are Sanitary Sewer Easements only, of varying widths and sizes adjacent to the

N 37°18'00"E 214.04'  
 S 89°53'40"W -109.81'  
 N 00°05'20"W 220.00'

# WHISPER

1. STEPHEN E. BOURQUEIN, HEREBY CERTIFY THAT I AM A LAND SURVEYOR REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA; AND I DO HEREBY FURTHER CERTIFY THAT I HAVE SURVEYED THE FOLLOWING DESCRIBED PROPERTY AND THAT I HAVE SUBDIVIDED THE SAME INTO BLOCKS AND LOTS AS SHOWN ON THE HEREIN DRAWN PLAT THIS PLAT CORRECTLY REPRESENTS SAID SURVEY AND SUBDIVISION.

A PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 14 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN, GREENWOOD, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID HALF QUARTER SECTION; THENCE SOUTH 89 DEGREES 53 MINUTES 40 SECONDS WEST (QUAIL GROVE PLAT OF RECORD, PLAT BOOK 10, PAGE 65) 885.00 FEET, THENCE SOUTH 00 DEGREES 06 MINUTES 20 SECONDS WEST, 220.00 FEET, THENCE SOUTH 89 DEGREES 53 MINUTES 40 SECONDS WEST 109.81 FEET, THENCE NORTH 37 DEGREES 18 MINUTES 00 SECONDS EAST, 214.04 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, SAID POINT ALSO BEING THE EASTERLY POINT OF LOT NO. 84 IN WHISPERING TRAILS, SECOND SECTION, GREENWOOD, JOHNSON COUNTY, INDIANA, AS INDICATED ON THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 75 IN THE OFFICE OF THE JOHNSON COUNTY RECORDER AND A POINT ON THE NORTHWEST BOUNDARY LINE OF QUAIL GROVE SUBDIVISION, GREENWOOD, JOHNSON COUNTY, INDIANA, AS INDICATED ON THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 65 IN THE OFFICE OF SAID RECORDER, (THE NEXT (8) EIGHT COURSES BEING ALONG THE EASTERLY AND SOUTHEASTERLY BOUNDARY OF AFOREMENTIONED WHISPERING TRAILS, SECOND SECTION); (1) THENCE NORTH 34 DEGREES 51 MINUTES 32 SECONDS WEST 214.82 FEET TO (2) A POINT ON A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 10 DEGREES 24 MINUTES 10 SECONDS, THE RADIUS POINT OF SAID CURVE BEARS NORTH 34 DEGREES 51 MINUTES 32 SECONDS WEST, 405.33 FEET, THENCE ALONG SAID CURVE IN A NORTHEASTERLY DIRECTION, 73.59 FEET TO A POINT FROM WHICH THE RADIUS POINT BEARS NORTH 45 DEGREES 15 MINUTES 40 SECONDS WEST, 60.00 FEET; (4) THENCE NORTH 43 DEGREES 04 MINUTES 27 SECONDS WEST, 142.22 FEET; (5) THENCE NORTH 39 DEGREES 30 MINUTES 00 SECONDS WEST, 207.00 FEET, (6) THENCE NORTH 35 DEGREES 12 MINUTES 20 SECONDS WEST, 91.60 FEET; (7) THENCE NORTH 12 DEGREES 17 MINUTES 45 SECONDS WEST, 154.08 FEET; (8) THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 150.00 FEET TO A POINT, SAID POINT BEING THE SOUTHWEST CORNER OF LOT NO. 65 IN WHISPERING TRAILS, FIRST SECTION, GREENWOOD, JOHNSON COUNTY, INDIANA, AS INDICATED ON THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 42 IN THE OFFICE OF THE JOHNSON COUNTY RECORDER, (THE NEXT (8) EIGHT COURSES BEING ALONG THE NORTHERLY, SOUTHEASTERLY AND SOUTHWESTERLY BOUNDARIES OF SAID WHISPERING TRAILS, FIRST SECTION); (1) THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 360.00 FEET; (2) THENCE SOUTH 07 DEGREES 00 MINUTES 00 SECONDS EAST, 95.00 FEET; (3) THENCE SOUTH 26 DEGREES 07 MINUTES 30 SECONDS EAST, 79.72 FEET; (4) THENCE NORTH 61 DEGREES 44 MINUTES 40 SECONDS EAST, 181.25 FEET; (5) THENCE NORTH 37 DEGREES 18 MINUTES 00 SECONDS EAST, 200.00 FEET; (6) THENCE SOUTH 52 DEGREES 42 MINUTES 00 SECONDS EAST, 150.00 FEET; (7) THENCE SOUTH 37 DEGREES 18 MINUTES 00 SECONDS WEST, 120.00 FEET; (8) THENCE SOUTH 52 DEGREES 42 MINUTES 00 SECONDS EAST, 245.00 FEET TO A POINT ON THE NORTHWEST BOUNDARY OF THE AFOREMENTIONED QUAIL GROVE SUBDIVISION; THENCE SOUTH 37 DEGREES 18 MINUTES 00 SECONDS WEST, 815.00 FEET TO THE BEGINNING POINT OF THIS DESCRIPTION AND CONTAINING 10.70 ACRES, MORE OR LESS, SUBJECT TO ALL LEGAL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS.

ALL MONUMENTS SHOWN HEREOF WILL EXIST, AND THAT THEIR LOCATION, SIZE TYPE AND MATERIAL ARE ACCURATELY SHOWN; AND THAT THE COMPUTED ERROR OF CLOSURE OF THE BOUNDARY SURVEY IS NOT MORE THAN ONE FOOT IN TEN THOUSAND FEET; AND THAT THIS PLAT COMPLIES WITH PROVISIONS OF THE SUBDIVISION ORDINANCE. THE SIZE OF LOTS AND WIDTH OF STREETS AND EASEMENTS ARE SHOWN IN FIGURES DENOTING FEET AND DECIMAL PARTS THEREOF.

WITNESS MY SIGNATURE THIS 2nd DAY OF May, 1980.

*Stephen E. Bourquein*  
STEPHEN E. BOURQUEIN  
REG. LAND SURVEYOR NO. 50641

DO HEREBY MAKE, PLAT, SUBDIVIDED, LAY OFF AND DEDICATE SAID DESCRIBED REAL ESTATE INTO LOTS AND STREETS IN ACCORDANCE WITH THE PLAT HERETO ATTACHED, WHICH ADDITION SHALL BE KNOWN AS "WHISPERING TRAILS-THIRD SECTION", IN GREENWOOD, JOHNSON COUNTY, INDIANA, AND CONTAINING 22 LOTS NUMBERED 164 THROUGH 185 INCLUSIVE. THE STREETS AS SHOWN ON THE ATTACHED PLAT ARE HEREBY DEDICATED TO PUBLIC USE AND THAT ALL OF THE LOTS CONTAINED IN THE ABOVE PLAT OR ANY PORTION THEREOF SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS, WHICH RESTRICTIONS SHALL BE CONSIDERED AND HEREBY DECLARED TO BE COVENANTS RUNNING WITH THE LAND, WHICH SAID RESTRICTIVE COVENANTS ARE AS FOLLOWS.

1. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES AND NO BUILDING SHALL BE ERECTED OR PLACED OR PERMITTED ON ANY LOT OTHER THAN THE SINGLE-FAMILY DWELLING WITH AN ATTACHED GARAGE FOR NOT LESS THAN 2 CARS OR MORE THAN 3 CARS.

2. NO BUILDING SHALL BE ERECTED OR PLACED ON ANY LOT UNTIL THE BUILDER'S CONSTRUCTION PLAN, SPECIFICATIONS AND PLOT PLAN HAVE BEEN APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE AS TO THE ACCEPTABILITY AND QUALITY OF WORKMANSHIP AND MATERIALS, HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES, AND AS TO LOCATION WITH RESPECT TO TOPOGRAPHY AND FINISH GRADE ELEVATION. 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 COVENANT NO. 13.

3. NO DWELLING SHALL BE PERMITTED ON ANY LOT UNLESS THE TOTAL LIVING AREA OF THE STRUCTURE IS AT LEAST AS SHOWN IN SCHEDULE "A", WITH A GROUND FLOOR AREA BEING AT LEAST 1000 SQUARE FEET, FOR MULTILEVEL DWELLINGS. THE USE OF ALUMINUM AND VINYL SIDING IS NOT PERMITTED BELOW THE SECOND FLOOR LINE. EACH DWELLING'S EXTERIOR SHALL BE 50% MASONRY. THE USE OF ALUMINUM WIDOWS IS PROHIBITED.

4. NO BUILDING SHALL BE LOCATED NEARER TO THE SIDE STREET SHOWN ON THE RECORDED PLAT ON ANY LOT NEARER THAN 32 FEET TO ANY SIDE STREET LI 12 FEET TO AN INTERIOR LOT STEPS, AND OPEN PORCHES SHALL BE PROVIDED HOWEVER, THAT THE BUILDING, ON A LOT TO EN
5. NO STRUCTURE OF A TEMPI SHACK, GARAGE, BARN, OR OTI TIME AS A RESIDENCE EITHER COMPLETED DWELLING BE PERM BE PERMITTED ON ANY LOT.
6. DRAINAGE SWALES (DITCH OF-WAY, OR OR DEDICATED EA TILED OR OTHERWISE CHANGED BOARD OF PUBLIC WORKS AND TAINED BY THE LOT OWNERS A BUILT GENERAL DEVELOPMENT THE LOT OWNERS SHALL BE RE OF ALL OVERLAND DRAINAGE FEAT
7. ANY PROPERTY OWNER ALT THESE DRAINAGE SWALES OR D AND WILL BE GIVEN 10 DAYS I AFTER WHICH TIME, IF NO AC SAFETY WILL CAUSE SAID REP. REPAIRS WILL BE SENT TO THI FAILURE TO PAY WILL RESULT
8. NO SIGN OF ANY KIND SHI, EXCEPT ONE PROFESSIONAL SI NOT MORE THAN FIVE SQUARE I OR SIGNS USED BY A BIDDER AND SALES PERIOD.
9. NO OIL DRILLING, OIL DI OR MINING OPERATIONS OF AN NOR SHALL OIL WELLS, TANKS PERMITTED UPON OR IN ANY LI USE IN BORING FOR OIL OR H/ MITTED UPON ANY LOT
10. NO NOXIOUS OR OFFENSIVE SHALL ANYTHING BE DONE THEI THE NEIGHBORHOOD. TRAILERS OR STORED IN THE FRONT OR S
11. AT NO TIME SHALL AN UNI PERMITTED ON ANY LOT
12. NO INDIVIDUAL WATER SUP PERMITTED ON ANY LOT
13. THE ARCHITECTURAL CONTR BY THE DEVELOPER, THE COMM IN THE EVENT OF DEATH OR RE REMAINING MEMBER SHALL HAVE THE MEMBERS OF THE COMMITTE ENTITLED TO ANY COMPENSATIC AT ANY TIME, THE THEN RECOR POWER THROUGH A DULY RECORD THE COMMITTEE OR TO WITHDRA POWERS AND DUTIES.
14. THE ARCHITECTURAL CONTR IN THESE COVENANTS SHALL BE CITY PLANNER. IN THE EVENT FIALS TO APPROVE OR DISAPPR HAVE BEEN SUBMITTED TO IT, TION HAS BEEN COMMENCED PRI REQUIRED AND THE RELATED CO WITH.
15. ANY FIELD TILE OR UNDER OF ANY IMPROVEMENT WITHIN T OWNERS OF LOTS IN THIS SUBG THE INDIANA DRAINAGE CODE C THAT PORTION OF NATURAL WAT OWNER THEREOF.
16. THERE ARE STRIPS OF GRC ON THIS PLAT WHICH ARE HERE TRANSPORTATION COMPANIES, F MAINS, SEWERS, DRAINS, DUCT SUBDIVISION SHALL TAKE TITL SUBJECT AT ALL TIME TO THE UTILITIES AND THE EASEMENT LINE, AND NO PART THEREOF, TAINED OR SAID "UTILITY AND EASEMENT" ARE FOR SURFACE Y IN THIS SUBDIVISION SHALL E AND SHALL BE COORDINATED WI LIABILITY FOR FAILURE TO PE THE LOT
17. THERE ARE STRIPS OF GRC WHICH ARE HEREBY RESERVED I COMPANIES, FOR THE INSTALL SANITARY, PURCHASERS OF LC TO THE EASEMENTS HEREBY CRE PROPER AUTHORITIES TO SERVI AND NO PERMANENT STRUCTURE SHALL BE BUILT, CREATED OR

I AM A LAND SURVEYOR REGISTERED IN INDIANA; AND I DO HEREBY FURTHER DESCRIBE PROPERTY AND THAT I HAVE SHOWN ON THE HEREIN DRAWN PLAT AND SUBDIVISION.

ARTER OF SECTION 25, TOWNSHIP 14 MERIDIAN, GREENWOOD, JOHNSON

SAID HALF QUARTER SECTION; THENCE (QUAIL GROVE PLAT OF RECORD, SOUTH 00 DEGREES 06 MINUTES 20 DEGREES 53 MINUTES 40 SECONDS WEST, UTES 00 SECONDS EAST; 214.04 FEET ON, SAID POINT ALSO BEING THE TRAILS, SECOND SECTION, GREENWOOD, E PLAT THEREOF AS RECORDED IN PLAT N COUNTY RECORDER AND A POINT ON SUBDIVISION, GREENWOOD, JOHNSON HEREOF AS RECORDED IN PLAT BOOK (THE NEXT (8) EIGHT COURSES BEING OF AFOREMENTIONED WHISPERING DEGREES 51 MINUTES 32 SECONDS NGENT CURVE TO THE LEFT HAVING A SECONDS, THE RADIUS POINT OF SAID SECONDS WEST, 405.33 FEET, THENCE OH, 73.59 FEET TO A POINT FROM ES 15 MINUTES 40 SECONDS WEST, 142.22 MINUTES 27 SECONDS WEST, 142.22 S 00 SECONDS WEST, 207.00 FEET, ECONDS WEST, 91.60 FEET, (7) 35 WEST, 154.08 FEET, (8) THENCE 150.00 FEET TO A POINT, SAID 65 IN WHISPERING TRAILS, FIRST AS INDICATED ON THE PLAT THEREOF OFFICE OF THE JOHNSON COUNTY ALONG THE NORTHERLY, SOUTHEASTERLY RING TRAILS, FIRST SECTION); (1) DS EAST, 360.00 FEET; (2) THENCE .95.00 FEET, (3) THENCE SOUTH 26 EET; (4) THENCE NORTH 61 DEGREES JTH 52 DEGREES 37 DEGREES 18 MINUTES 58 18 MINUTES 42 MINUTES 00 SECONDS ES 18 MINUTES 00 SECONDS WEST, MINUTES 00 SECONDS EAST, 245.00 F THE AFOREMENTIONED QUAIL GROVE JTES 00 SECONDS WEST, 815.00 FEET AND CONTAINING 10.70 ACRES. MORE EASEMENTS AND RESTRICTIONS.

THAT THEIR LOCATION, SIZE TYPE THE COMPUTED ERROR OF CLOSURE FOOT IN TEN THOUSAND FEET; AND THE SUBDIVISION ORDINANCE. THE ENTS ARE SHOWN IN FIGURES DENOTING

OF May, 1986.



E. BOURQUEIM  
ND SURVEYOR NO. 50411

ND DEDICATE SAID DESCRIBED REAL WITH THE PLAT HERETO ATTACHED, 3 TRAILS--THIRD SECTION". IN TAINING 22 LOTS NUMBERED 164 4 ON THE ATTACHED PLAT ARE HEREBY LOTS CONTAINED IN THE ABOVE T TO THE FOLLOWING RESTRICTIONS, HEREBY DECLARED TO BE COVENANTS VE COVENANTS ARE AS FOLLOWS.

CIAL PURPOSES AND NO BUILDING ANY LOT OTHER THAN THE SINGLE - NOT LESS THAN 2 CARS OR MORE

IN ANY LOT UNTIL THE BUILDER'S PLAN HAVE BEEN APPROVED BY THE ACCEPTABILITY AND QUALITY OF IAL DESIGN WITH EXISTING STRUC- IOGRAPHY AND FINISH GRADE ID, PLACED OR ALTERED ON ANY ILDING SETBACK LINE UNLESS OVIDED IN COVENANT NO. 13.

OT UNLESS THE TOTAL LIVING AREA DULE "A", WITH A GROUND FLOOR TLEVEL DWELLINGS. THE USE OF LON THE SECOND FLOOR LINE. EACH E USE OF ALUMINUM WIDOWS IS

4. NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE OR NEARER TO THE SIDE STREET LINE THAN THE MINIMUM BUILDING SETBACK LINES SHOWN ON THE RECORDED PLAT. IN ANY EVENT, NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER THAN 32 FEET TO THE FRONT LOT LINE, OR NEARER THAN 32 FEET TO ANY SIDE STREET LINE. NO BUILDING SHALL BE LOCATED NEARER THAN 12 FEET TO AN INTERIOR LOT LINE, FOR THE PURPOSES OF THIS COVENANT, EAVES, STEPS, AND OPEN PORCHES SHALL NOT BE CONSIDERED AS A PART OF THE BUILDING. PROVIDED HOWEVER, THAT THIS SHALL NOT BE CONSTRUED TO PERMIT ANY PORTION OF A BUILDING, ON A LOT TO ENCROACH UPON ANOTHER LOT.

5. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BOAT, BASEMENT, TENT, SHACK, GARAGE, BARN, OR OTHER OUTBUILDING SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE EITHER TEMPORARILY OR PERMANENT, NOR SHALL A PARTIALLY COMPLETED DWELLING BE PERMITTED. NO TEMPORARY BUILDING OF ANY KIND SHALL BE PERMITTED ON ANY LOT.

6. DRAINAGE SWALES (DITCHES) ALONG DEDICATED ROADWAYS AND WITHIN THE RIGHT-OF-WAY, OR ON DEDICATED EASEMENTS, ARE NOT TO BE ALTERED, DUG OUT, FILLED IN, TILED OR OTHERWISE CHANGED WITHOUT THE WRITTEN PERMISSION OF THE GREENWOOD BOARD OF PUBLIC WORKS AND SAFETY. THESE AREAS SHALL BE PRESERVED AND MAINTAINED BY THE LOT OWNERS AS PERMANENT DRAINAGE FEATURES, AS SHOWN ON "AS BUILT GENERAL DEVELOPMENT PLAN", ON FILE WITH THE GREENWOOD PLAT COMMISSION. THE LOT OWNERS SHALL BE RESPONSIBLE FOR THE PRESERVATION OF POSITIVE DRAINAGE OF ALL OVERLAND DRAIN FEATURES AS SHOWN ON THE "AS BUILT DRAINAGE PLAN".

7. ANY PROPERTY OWNER ALTERING, CHANGING, DAMAGING, OR FAILING TO MAINTAIN THESE DRAINAGE SWALES OR DITCHES WILL BE HELD RESPONSIBLE FOR SUCH ACTION AND WILL BE GIVEN 10 DAYS NOTICE BY CERTIFIED MAIL TO REPAIR SAID DAMAGE, AFTER WHICH TIME, IF NO ACTION IS TAKEN, THE BOARD OF PUBLIC WORKS AND SAFETY WILL CAUSE SAID REPAIRS TO BE ACCOMPLISHED AND THE BILL FOR SAID REPAIRS WILL BE SENT TO THE AFFECTED PROPERTY OWNER FOR IMMEDIATE PAYMENT. FAILURE TO PAY WILL RESULT IN A LIEN AGAINST THE PROPERTY.

8. 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 BIDDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALES PERIOD.

9. NO OIL DRILLING, OIL DEVELOPMENT OPERATIONS, OIL REFINING, QUARRYING 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 ERCTED, MAINTAINED OR PERMITTED UPON ANY LOT.

10. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD. TRAILERS, BOATS, AND SIMILAR EQUIPMENT, SHALL NOT BE KEPT OR STORED IN THE FRONT OR SIDE YARD.

11. AT NO TIME SHALL AN UNLICENSED, UNOPERATIVE AUTOMOBILE OR TRUCK BE PERMITTED ON ANY LOT.

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

13. THE ARCHITECTURAL CONTROL COMMITTEE IS COMPOSED OF TWO MEMBERS APPOINTED BY THE DEVELOPER. 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 MEMBER SHALL HAVE FULL AUTHORITY TO DESIGNATE A SUCCESSOR. NEITHER THE MEMBERS OF THE COMMITTEE, NOR IT DESIGNATED REPRESENTATIVE, SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT. AT ANY TIME, THE THEN RECORDED OWNERS OF 80 PERCENT 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.

14. THE ARCHITECTURAL CONTROL COMMITTEE APPROVAL OR DISAPPROVAL AS REQUIRED IN THESE COVENANTS SHALL BE INDICATED ON THE PLANS SUBMITTED TO THE GREENWOOD CITY PLANNER. 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 BEEN COMMENCED PRIOR TO THE COMPLETION THEREOF, APPROVAL WILL NOT BE REQUIRED AND THE RELATED COVENANTS SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.

15. 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 AND THEIR SUCCESSORS SHALL COMPLY WITH THE INDIANA DRAINAGE CODE OF 1905, AND ALL AMENDMENTS THERETO, AND FURTHER, THAT PORTION OF NATURAL WATERWAYS THROUGH A LOT SHALL BE MAINTAINED BY THE OWNER THEREOF.

16. THERE ARE STRIPS OF GROUND MARKED "UTILITY AND DRAINAGE EASEMENT" SHOWN ON THIS 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 TITLE SUBJECT TO THE EASEMENTS HEREBY CREATED AND SUBJECT AT ALL TIME TO THE RIGHTS OF THE PROPERTY AUTHORITIES TO SERVICE THE UTILITIES AND THE EASEMENT HEREBY CREATED, AND NO PERMANENT STRUCTURE OF ANY KIND, AND NO PART THEREOF, INCLUDING FENCES, SHALL BE BUILT, CREATED OR MAINTAINED ON SAID "UTILITY AND DRAINAGE EASEMENT". STRIPS MARKED "DRAINAGE EASEMENT" ARE FOR SURFACE WATER DRAINAGE ONLY. POSITIVE DRAINAGE ON EACH LOT IN THIS SUBDIVISION SHALL BE PERPETUATED AND/OR MAINTAINED BY THE LOT OWNER, AND SHALL BE COORDINATED WITH THE OVERALL DRAINAGE PLAN FOR THE BLOCK. LIABILITY FOR FAILURE TO PROVIDE SUCH DRAINAGE SHALL REST UPON THE OWNER OF THE LOT.

17. THERE ARE STRIPS OF GROUND MARKED "SEWER EASEMENT" SHOWN ON THIS PLAT WHICH ARE HEREBY RESERVED FOR PUBLIC UTILITIES, NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLATION AND MAINTENANCE OF SEWERS, BOTH STORM AND SANITARY. PURCHASERS OF LOTS IN THIS SUBDIVISION SHALL TAKE TITLE 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 NO PART THEREOF, INCLUDING FENCES, SHALL BE BUILT, CREATED OR MAINTAINED ON SAID "SEWER EASEMENT".

18. THE STREETS AND PUBLIC RIGHT-OF-WAYS SHOWN HEREON, SUBJECT TO CONSTRUCTION STANDARDS ACCEPTANCE, ARE HEREBY DEDICATED TO THE PUBLIC USE, TO BE OWNED AND MAINTAINED BY THE GOVERNMENTAL BODY HAVING JURISDICTION.

# 1<sup>ST</sup>, THIRD SECTION D, INDIANA

19. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN 2 AND 6 FEET ABOVE ROADWAYS SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET PROPERTY LINE AND A LINE CONNECTING THEM AT POINTS 25 FEET FROM THE INTERSECTION OF THE STREET LINES OR IN THE CASE OF A ROUNDED PROPERTY CORNER FROM THE INTERSECTION OF THE STREET 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 OR ALLEY PAVEMENT NO TREE SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCE OF SUCH INTERSECTIONS UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTIONS OF SUCH SIGHT LINES AND ALL EXISTING FARM FENCES BORDERING ON LOTS SHALL BE MAINTAINED BY THE LOT OWNERS IN A CONDITION TO CONTAIN LIVESTOCK USING CONTIGUOUS LANDS.

20. 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 BRED, KEPT OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.

21. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH OR GRABAGE. OTHER WASTES SHALL NOT BE KEPT EXCEPT IN SANITARY CONTAINERS. ALL INCINERATORS OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION.

22. INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL NOT AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

23. THESE RESTRICTIONS ARE HEREBY DECLARED TO BE COVENANTS RUNNING WITH THIS 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 (10) YEARS UNLESS, AT ANY TIME FOLLOWING RECORDDATION, 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.

IN WITNESS WHEREOF, WHISPERING WOODS DEVELOPMENT, A LIMITED PARTNERSHIP, BY MOULDER CORPORATION, GENERAL PARTNER BEING OWNERS OF THE ABOVE LAND IN FEE SIMPLE, HAVE HEREUNTO SET THEIR HAND AND SEALS THIS 4<sup>th</sup> DAY OF September, 1986.

*[Signature]*  
J. STEPHEN MOULDER, PRESIDENT  
*[Signature]*  
SHARON A. MOULDER, SECRETARY

STATE OF INDIANA )  
COUNTY OF JOHNSON ) S.S.

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, APPEARED, J. STEPHEN MOULDER, PRESIDENT AND SHARON A. MOULDER, SECRETARY OF MOULDER CORPORATION, GENERAL PARTNER, WHISPERING WOODS DEVELOPMENT, WHO ACKNOWLEDGED THE EXECUTION OF THE FOLLOWING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE USE AND PURPOSE THEREIN EXPRESSED AND AFFIXED THERE SIGNATURES THERETO.

WITNESS MY HAND AND NOTARIAL SEAL THIS 3<sup>rd</sup> DAY OF September, 1986.

MY COMMISSION EXPIRES.  
4/3/87

*[Signature]*  
DEBORAH J. ALLEN  
RESIDENT OF COUNTY OF Johnson  
NOTARY PUBLIC

THIS PLAT WAS GIVEN APPROVAL BY THE CITY OF GREENWOOD, JOHNSON COUNTY, INDIANA AS FOLLOWS.

APPROVED BY THE CITY OF GREENWOOD PLAM COMMISSION AT A MEETING HELD ON May 1986, 1986.

*[Signature]* Floyd E. Estes, Resident *[Signature]* Clinton E. Ferguson, Secretary  
FLOYD E. ESTES, Resident CLINTON E. FERGUSON, Secretary

BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS AND SAFETY, CITY OF GREENWOOD, JOHNSON COUNTY, INDIANA, THAT THE DEDICATIONS SHOWN ON THIS PLAT ARE HEREBY APPROVED AND ACCEPTED THIS 3<sup>rd</sup> DAY OF September, 1986.

*[Signature]* Jeanette L. Sorina, Mayor *[Signature]* Richard E. Henney  
JEANETTE L. SORINA, MAYOR MEMBER  
*[Signature]* Richard E. Henney MEMBER  
ATTEST: *[Signature]* Martha L. Chitwood  
MARTHA L. CHITWOOD, CLERK-TREASURER

ENTERED FOR TAXATION THIS 11<sup>th</sup>

NO. 11786  
RECEIVED FOR RECORD THIS 11<sup>th</sup>

9:50 A.M. AND RECORDED IN

LOT NO.  
164 through 17  
173  
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