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PAGE 02
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BOOK

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Marille Abbott

RECORDER HENDRICKS COUNTY

RESTRICTIVE COVENANTS

Recorded 3524

Misc. Record 80 Page 244-6

Hendricks County Records

BOOK 80 PAGE 244

WOODHAVEN SUBDIVISION

I, the undersigned, P. R. Walthers, owner of the real estate described in Exhibit "A" which is attached hereto and made a part hereof, do hereby certify that I have laid off, platted, subdivided, and so hereby lay off, plat and subdivide, said real estate in accordance with the plat thereof recorded in the office of the Recorder of Hendricks County, Indiana, in Plat Book 10, page 55, said subdivision being known as Woodhaven Subdivision, located in the Town of Plainfield, Indiana, and do hereby set out the following covenants of restriction on said real estate which shall run with the land.

1. NAME. This subdivision shall be known and designated as Woodhaven Subdivision, being located in the City of Plainfield, County of Hendricks, Indiana. The street heretofore dedicated is hereby dedicated to the public.

2. BUILDING LINE. Front yard set back lines, and side yard set back lines on corner lots are to be as shown on the plat, between which lines and the property lines of the street there shall be no buildings or structure erected or maintained.

The developer may modify this restriction in the event he justifies it by tree location or topography. This will be noted and recorded in the court house.

3. UTILITY EASEMENTS AND DRAINAGE. All easements shown as "Utility Easements" are also to be considered drainage easements and are subject to all restrictions of drainage easements. No permanent, or other structures are to be erected or maintained upon any easements shown upon the plat and owners of lots shall take their titles subject to the rights of the above described easements.

4. LAND USE AND BUILDING TYPE. No lot shall be used except for residential purposes, nor shall any lot be subdivided. No buildings shall be erected, altered, placed or permitted to remain on any lot other than one single family dwelling not to exceed two stories in height and a private attached garage for not more than three cars. In the event the purchaser should buy two lots with the purpose of building one single family dwelling across the center lot line, the lot line restrictions shall not apply to the boundary lines dividing any two said lots.

5. NON-RESIDENTIAL STORAGE BUILDING: A limit of one such building. Restrictions on the type, size, construction and location are listed below.

- A. Type - Conventional or Red Barn variety.
- B. Size - A maximum size of 14 ft. by 16 ft.
- C. Construction - To be constructed on a cement slab and anchored. Wood or brick materials to be used, no cement block allowed.
- D. Location - In the middle and to the back of the lot.

6. ARCHITECTURAL CONTROL. No building shall be erected, placed or altered on any lot until the construction plans and specifications and the complete plot plan have been approved by the Architectural Committee, as to the quality and type of material and workmanship, in harmony with external design and with existing structures of finished grade elevations. The ground floor of the main structure, exclusive of open porches and garages, shall not be less than 1400 square feet, or at least 900 feet on the first floor of houses of more than one story. (Determination of sufficiency and adequacy of the term "ground floor of main structure" with respect to dwellings of a tri-level, bi-level and one and one-half story design shall rest exclusively with the Architectural Committee). All Drainage conduits or tubes for individual lot driveways shall be subject to approval as to size, material and quality of construction by the Project Engineer.

7. BUILDING LOCATION. No building shall be located on any lot nearer to the front lot line, nor nearer to the side street lines than the minimum set-back line shown on the record plat. For the purpose of this covenant, eaves, steps and open porches shall not be considered a part of the building,

BOOK 82 PAGE 245

provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot. After the building has been staked and before construction begins, the Project Engineer must confirm the location of building with the plat plan.

8. No SWIMMING POOL or ASSOCIATED STRUCTURE shall be erected or placed on any lot until the construction plans, including a plot plan, have been approved by the Architectural Committee.

9. NUISANCES. No noxious or offensive activity shall be carried upon any lot, nor shall anything be done which may be or may become an annoyance or nuisance to the neighborhood.

10. LIVESTOCK AND POULTRY. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot except family pets, which may be kept, provided they are not kept, bred or maintained for commercial purposes, and not to create or constitute a nuisance.

11. GARBAGE AND REFUSE DISPOSAL. No lots shall be used or maintained as a dumping ground for rubbish, garbage or other waste, and same shall not be kept except in sanitary containers. All incinerators or other equipment for disposal or storage of such materials shall be kept clean and sanitary and shall not be used so as to create an offensive sight or odor.

12. SIGHT DISTANCE AT INTERSECTION. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between two feet and six feet above the roadways shall be placed, or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points twenty-five feet from the intersection of the street line, or in the case of a property corner, from the intersection of the street property lines extended. The same sight line limitations shall apply on any lot within ten feet from the intersection of a street's property line with edge of a driveway. No trees shall be permitted to remain within such distance of such intersections unless the foliage line is maintained at such height to prevent obstruction of such sight lines.

13. FENCES. Ornamental fences or continuous shrub plantings, which would in any way, serve the purposes of a fence, shall not be erected until approved by the Architectural Committee.

14. SIGNS. No sign of any kind shall be displayed to the public view on any lot, except one sign of not more than five square feet, advertising the property for sale or signs used by a builder to advertise the property during construction and sales period.

15. ARCHITECTURAL COMMITTEE. The Architectural Control Committee shall be composed of P. R. Walthers, hereinafter called Developer, or its assigns. The said Developer shall further have the right to designate a representative to act for and on its behalf. The Committee's approval, or disapproval, as required in these covenants, shall be in writing. In the event that said written approval is not received from the Committee within 14 days from the date of submission, it shall be deemed that the Committee has disapproved the presented plan. After lots are sold, the Developer will designate a committee of home owners to uphold protection covenants.

16. VIOLATIONS. The violation of any restriction, as herein enumerated, shall give to the said Developer or its successors, any and all rights for injunction, damage, or any other action at law or equity which it and its assigns may have to restrain and prohibit the same, in keeping with the restrictions herein set out.

17. PROTECTIVE COVENANTS. The "Protective Covenants" are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 1997, at which time said covenants shall be automatically extended for successive periods of 10 years unless changed by a vote of the majority of the then owners of the building sites covered by these covenants in

