

The undersigned, Pennmark Service Corp. by Howard V. Bisher, President and Robert L. Beatty, Assistant Secretary, being the Owners of the above described real estate, do here lay off, plat and subdivide the same into lots and streets in accordance with the within plat.

The within plat shall be known and designated as ARLINGTON ACRES - Section One, an Addition in Marion County, Indiana.

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1. The streets shown and not heretofore dedicated are hereby dedicated to the public.
2. All numbered lots in this Addition shall be designated as residential lots. Only one single family with accessory building and not exceeding two stories in height may be erected or maintained on said lots. No fence, wall, hedge or shrub front and side building lines are established as shown on this plat between which lines and the property line of the street, no structure shall be erected or maintained. No fence, wall, hedge or shrub 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 right lines of elevations between 2 and 4 feet above the street. The same shall be permitted to remain within such distance of such intersection unless the foliage line is maintained as sufficient height to prevent obstruction of the sight line.
3. No one story house shall be erected on any lot in this Addition having a ground floor area of less than 900 square feet and no one and one-half story house have a ground floor area of less than 650 square feet. Detachable of open porches, garages, barns or other outbuilding or temporary structure shall be used for temporary or permanent residential purposes on any lot in this Addition.
4. No trade, tent, shack, basement, garage, barn or other outbuilding or temporary structure shall be used for temporary or permanent residential purposes on any lot in this Addition.
5. No noxious or offensive trade shall be carried on upon any lot in this Addition nor shall anything be done thereon which shall be or become a nuisance to the neighborhood.
6. No poultry or farm animals shall be raised or maintained on any lot. This restriction shall not prohibit a resident from keeping a usual pet animal or bird.
7. These are strips of ground as shown on the within plat marked "Balance Easements" and/or "Utility Easements" which are hereby reserved for the use of public utility companies, not including transportation companies for the installation and maintenance of mains, ducts, poles, lines, wire, sewers and drains, subject at all times to the authority of Marion County, Indiana, and to the easements herein reserved. No permanent or other structures shall be erected or maintained on said strips. The owners of such lots in this Addition, however, shall have the right to remove the strips so reserved and to those of the owners of said lots in this Addition to said Easements by injunction, together with the right to cause the removal by due process of law of any septic tank, absorption bed or structure erected or maintained in violation thereof. It is hereby dedicated and reserved to the owners of the several lots in this subdivision, their heirs, assigns or successors or through any such violation or attempted violation. Such provisions shall be in full force and effect until January 1, 1998, at which time said covenants shall be automatically extended for successive periods of 10 years unless by vote of the majority of the then owners of the lots it is agreed to change the covenants in whole or in part. Invalidation of any one of the covenants by judgment or order shall void and affect any of the other provisions which shall remain in full force and effect.
8. The within covenants, limitations, and restrictions are to run with the land and shall be binding on all parties and persons claiming under them.

IN WITNESS WHEREOF Pennmark Service Corp. by Howard V. Bisher, President and Robert L. Beatty, Assistant Secretary have hereunto caused its and their names to be subscribed this 1st day of September, 1974.

STATE OF INDIANA)

County of Marion)

Before me, Notary Public in and for said County and State personally appeared The Pennmark Service Corp. by Howard V. Bisher, President and Robert L. Beatty, Assistant Secretary and acknowledge the execution of the above foregoing instrument as its voluntary act and deed.

Witness my signature and notarial seal this 1st day of September, 1974

My Commission expires May 29, 1976

Notary Public *James E. Beck*

PENNMARX SERVICE CORP.

BY: HOWARD V. BISHER  
President

ATTEST: ROBERT L. BEATTY  
ASSISTANT SECRETARY

NOTARIAL PUBLIC

James E. Beck

Sept. 8 1974

MAY 3 1974

PROPER NOTARIAL SEAL TO BE PLACED HEREIN

NOTARIAL PUBLIC

This instrument prepared by Schneider Engineering Corp. Vincent J. Schneider December, 1971