



*First American
Title Insurance Company*

INDIANA

Not Just for One Transaction, But for Life

First American Title Insurance Company
Indianapolis Downtown—Corporate
251 E. Ohio Street, Suite 200
Indianapolis, IN 46204
Telephone (317) 684-7556

Subdivision Covenants and Restrictions

The information is provided as a public service only. The information on this site is general in nature, unofficial and is not a valid reference for any legal purposes. The user agrees to hold harmless, protect, indemnify, and forever release First American Title Insurance Company and its officers, directors, agents, and employees, from and against any and all liabilities, losses, damage, expenses and charges, including but not limited to attorneys' fees and expenses of litigation, which may be sustained or incurred by the user under, or arising directly or indirectly out of the use of the information contained in this site.

BEAVER CREEK ESTATES

COVENANTS

DULY ENTERED
FOR TAXATION

JUL 19 1993

Marilyn W. Countin
Auditor of Hancock County

The foregoing covenants are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 2010 at which time said covenants and restrictions shall be automatically extended for successive periods of ten (10) years unless changed by vote of a majority of the then owners of the building sites covered by these covenants in whole or part. Invalidation of any one of the foregoing covenants by judgment or court order shall in no way affect any other covenants which shall remain in full force and effect.

DEED OF DEDICATION: The undersigned owners lay off, plat, and subdivide the real estate hereon described in accordance with the plat hereon. This subdivision shall be known and designated as "BEAVER CREEK ESTATES". All streets shown and not heretofore dedicated are hereby dedicated to the public as rights of way for public streets.

Front building setback lines are hereby established as shown on this plat, between which line and property line of the streets there shall be erected or maintained no buildings or structure. The strips of ground shown on this plat and marked "D. & U. Ease." are reserved for the use of the public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, drainage facilities subject at all times to the proper authorities and to the easement herein reserved. No permanent of other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the owners of other lots in this subdivision.

In witness whereof, Richard White, President and Daniel A. White, Secretary, of White Family Farms, Inc., owner, have hereunto caused their names to be subscribed this 23RD day of FEBRUARY, 1993.

Richard White
Richard White, President

Daniel A. White
Daniel A. White, Secretary

County of HANCOCK
State of Indiana

Subscribed to before me this 23RD day of FEBRUARY, 1993

Lynn D. Denis
Notary Public *Lynn D. Denis*



Commission Expires Jan. 19, 1995
Resident of HENRY County

ACCEPTANCE OF DEDICATIONS

Be it resolved by the Board of County Commissioners, Hancock County, Indiana, that the dedications shown on this plat are hereby approved and accepted this 19 day of JULY, 1993.

RESTRICTIVE COVENANTS BEAVER CREEK ESTATES

1. **LAND USE:** No lot herein shall be used for other than residential purposes. No residence shall be erected, altered, placed upon, or permitted to remain on any lot other than a single family dwelling with attached garage. No lot shall be used as a public thoroughfare, unless condemned by a public authority. Lots, after purchase, shall be kept in a presentable condition. Grass shall be mowed on a regular basis. Trash, debris, and other objectionable materials shall not be allowed to accumulate on any lot, regardless of whether a dwelling exists thereon. Owners who fail to comply with these requirements shall be subject to appropriate legal action.
2. **NUISANCES:** No noxious or offensive activity shall be carried on upon any lot.
3. **TEMPORARY STRUCTURES:** No structure of a temporary character, mobile home, 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.
4. **OUTBUILDINGS:** Outbuildings of reasonable size may be constructed so long as they are of quality construction and present an appearance which enhances the neighborhood. Swimming pools, if permitted, shall be enclosed by a fence adequate to prevent easy access.
5. **DWELLING QUALITY AND SIZE:** All dwellings shall be of new construction and shall be constructed of good grade materials and with the best of construction practices. No dwellings shall have less than 1400 square feet of floor space, exclusive of garage. Each dwelling shall include a 2 car attached garage.
6. **FENCES:** No fence more than 3.5 feet in height shall be constructed between the street right of way and the front setback lines shown on this plat. Any fence erected shall enhance the appearance of the neighborhood and shall be adequately constructed.
7. All on site electrical and telephone installations shall be underground, using low profile transformers. Electrical services shall be restricted to single phase 240 volt.
8. No fence, wall, hedge, tree or shrub planting which obstructs sight lines and elevation between 2.5 and 8 feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right of way lines and a line connecting points 40 feet from the intersection of said street lines (40 feet for minor streets and 75 feet for arterial streets), or in the case of a rounded property corner, from the intersection of the street right of way lines extended.
9. The same sight line limitations mentioned in Item 8 shall apply to any lot within 10 feet of the intersection of a street right of way line with the edge of the driveway pavement or alley line. No driveway shall be located within 70 feet of the intersection of two street lines. No drainage structures shall be located within driveway limits.
10. No sump pump drains or other drains shall outlet on to the street.
11. No trees shall be planted in the Hancock County right of way.
- 12 a. Drainage swales (ditches) along dedicated roadways and within the right of way, or on dedicated drainage easements, are not to be altered, dug out, filled in, tiled, or otherwise changed without the written permission of the Hancock County Drainage Board (Commissioners). Property owners must maintain these swales as sodded grassways, or other non-eroding surfaces. Water from roofs or parking areas must be contained on the property long enough so that said drainage swales or ditches will not be damaged by such water. Driveways may be constructed over these swales or ditches only when appropriate size culverts are installed as set out in Section 7-47 (5) above of the Hancock County Subdivision Control Article.
- 12 b. Any property owner altering, changing, or damaging these drainage swales or ditches will be held responsible for such action and will be given ten (10) days notice by registered mail to repair said damage, after which time, if no action is taken, the Hancock County Drainage Board (Commissioners) will cause said repairs to be accomplished, and the bill for such repairs will be sent to the affected property owner for immediate payment

BUCKLEY & ASSOCIATES
Engineers and Land Surveyors
P. O. Box 12 303 W. Main St.
Knightstown, Ind.
Tel. 317 245 5040