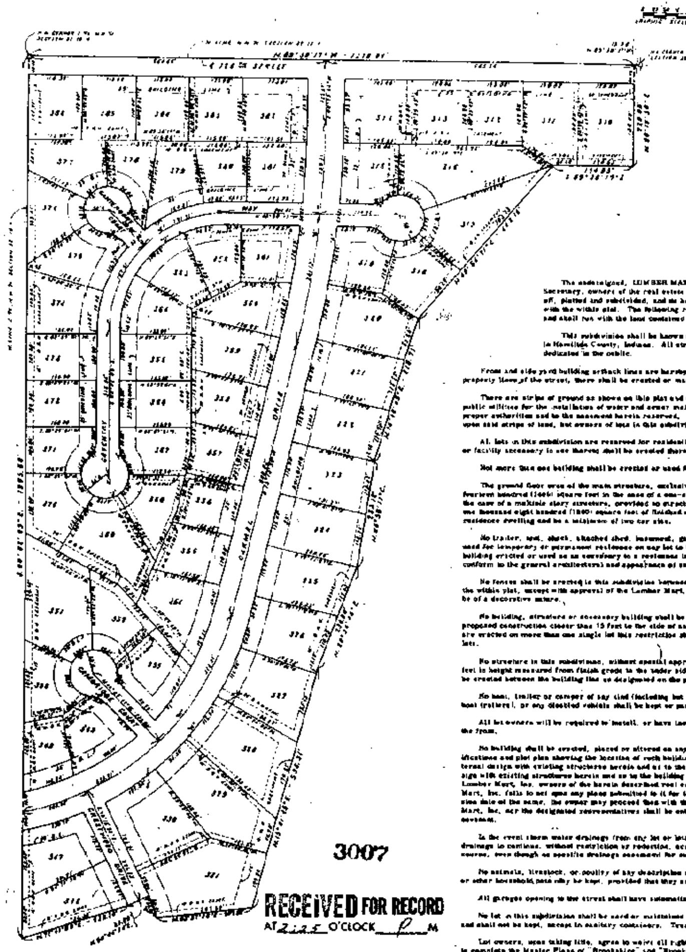
For Survey Concerning Lot #314 easement for entry Past see Misc BK 140 Pg 108
For Certificate of error concerning this plat see Misc. BK 141 Pg 280
169

BROOKSHIRE

SECTION 6-A



CURVE	DATA				
CURVE	Δ	R	T	L	C
A	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
B	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
D	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
E	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
F	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
G	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
H	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
I	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
J	[illegible]	[illegible]		[illegible]	[illegible]
K	[illegible]	[illegible]		[illegible]	[illegible]
L	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
M	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
N	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
O	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

NOTE: [illegible]

The undersigned, LUMBER MART, INC. by M. H. Sleeson, President, and Oliver R. Hughey, Secretary, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and do hereby lay off plat and subdivide, said real estate in accordance with the within plat. The following restrictions, limitations, and covenants are hereby imposed upon and shall run with the land contained in such plat.

This subdivision shall be known and designated as BROOKSHIRE, SECTION SIX-A, a subdivision in Hamilton County, Indiana. All streets and alleys shown and not heretofore dedicated, are hereby dedicated to the public.

Front and side yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the street, there shall be erected or maintained no building or structure.

There are strips of ground as shown on this plat and marked Drainage and Utility Easement, reserved for the use of public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easement herein reserved. No permanent or 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 public utilities.

All lots in this subdivision are reserved for residential use, and no building other than a one family residence or structure or facility accessory to one thereto shall be erected thereon.

Not more than one building shall be erected or used for residential purposes on any lot in this subdivision.

The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than fourteen hundred (1400) square feet in the case of a one-story structure, nor less than one thousand (1000) square feet in the case of a multiple story structure, provided no structure of more than one story shall have less than an aggregate of one thousand eight hundred (1800) square feet of finished and livable floor area. All garages shall be attached to the residence dwelling and be a minimum of two car size.

No trailer, tent, shack, attached shed, basement, garage, barn or other outbuilding or temporary structure shall be used for temporary or permanent residence on any lot in this subdivision. An attached garage, tool shed or detached storage building erected or used as an accessory to a residence in this subdivision shall be of a permanent type of construction and conform to the general architectural and appearance of such residence.

No fences shall be erected in this subdivision between the building lines and the property lines of the streets as shown on the within plat, except with approval of the Lumber Mart, Inc., 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 any lot than 15 feet, however, any proposed construction closer than 15 feet to the side of any lot must be approved by Lumber Mart, Inc. Where buildings are erected on more than one single lot this restriction shall apply to the side lines of the extreme boundaries of the multiple lots.

No structure in this subdivision, without special approval from Lumber Mart, Inc. shall exceed 2 1/2 stories or 35 feet in height measured from finish grade to the under side of eave line, and no structure other than an open porch shall be erected between the building line as designated on the plat and the property line of the street.

No boat, trailer or camper of any kind (including but not in limitation thereof, house trailers, camping trailers or boat trailers), or any disabled vehicle shall be kept or parked upon any lot except within a garage or other approved structure.

All lot owners will be required to install, or have installed, at least one gas or electric "dusk to dawn" yard light in the front.

No building shall be erected, placed or altered on any building plot in this subdivision until 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 structures herein and as to the building with respect to topography and harmony of external design with existing structures herein and as to the building with respect to topography and finished ground elevation, by Lumber Mart, Inc. owners of the herein described real estate, or by their duly authorized representatives. If the Lumber Mart, Inc. fails to act upon any plans submitted to it for its approval within a period of fifteen (15) days from the submission date of the same, the owner may proceed then with the building according to the plans as approved. Neither the Lumber Mart, Inc. nor the designated representatives shall be entitled to any compensation for services performed pursuant to this covenant.

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.

All garages opening to the street shall have automatic door controls.

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. Trash shall not be burned, except in suitable incinerators.

Lot owners, upon taking title, agree to waive all rights to oppose future zoning changes and special permits necessary to complete the Master Plans of "Brookshire" and "Brookshire Country Club".

Driveways for lots 310 through 314 and 383 through 386 shall be required to have turnarounds so that vehicles will not back onto 136th Street. These driveways will also be required to have a 12" drainage pipe in the 136th Street ditch.

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.

The foregoing covenants, (or restrictions) are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 25 years from the date of this plat, at which time said covenants, (or 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 buildings covered by these covenants, or restrictions, in whole or in part. Invalidation of any one of the foregoing covenants or restrictions, by judgment or court order shall in no way affect any of the other covenants or restrictions, which shall remain in full force and effect.

The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof erected, or maintained in violation hereof, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

Owner and Subdivider

Lumber Mart, Inc.

By M. H. Sleeson
M. H. Sleeson, President

Oliver R. Hughey
Oliver R. Hughey, Secretary

STATE OF INDIANA
SS
COUNTY OF HAMILTON

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Lumber Mart, Inc. by M. H. Sleeson and Oliver R. Hughey, who acknowledged the execution of the foregoing instrument as their voluntary act and deed for the uses and purposes therein expressed.

Witness my hand and Notarial Seal this 20th day of April, 1973.

Elizabeth C. Bauman
Notary Public

My Commission Expires July 8, 1973

COMMISSION CERTIFICATE

UNDER AUTHORITY PROVIDED BY CHAPTER 174-ACTS OF 1947, ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THERETO, AND AN ORDINANCE ADOPTED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF CARMEL, INDIANA. THIS PLAT WAS GIVEN APPROVAL BY THE TOWN OF CARMEL AS FOLLOWS:

Adopted by the Town Plan Commission at a meeting held April, 1973

CARMEL TOWN PLAN COMMISSION

[signature]
President - James [illegible]

[signature]
Secretary - [illegible]

3007

RECEIVED FOR RECORD
AT 2:25 O'CLOCK P M
MAY 21 1973
BOOK 4 PAGE 169
June M. Hodgins
RECORDER HAMILTON COUNTY, INDIANA

I, the undersigned, being a duly registered surveyor in the State of Indiana, hereby certify the within plat to be true and correct, representing a subdivision of Part of the East Half of the Northwest Quarter of Section 31, Township 18 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows:

Beginning at a point on the North line of the East Half of the Northwest Quarter of Section 31, Township 18 North, Range 4 East which is 13.04 feet North 89 degrees 30 minutes 17 seconds West (assumed bearing) of the Northeast corner thereof; thence North 89 degrees 30 minutes 17 seconds West on and along the North line of said East Half 1310.01 feet to the Northwest corner thereof; thence South 00 degrees 28 minutes 40 seconds East on and along the West line of said East Half 1895.98 feet; thence North 77 degrees 41 minutes 08 seconds East 233.39 feet; thence North 14 degrees 44 minutes 04 seconds East 50.00 feet to a point on a curve, the radius point of which bears South 84 degrees 44 minutes 54 seconds West 215.00 feet from said point; thence Southeasterly on and along said curve 50.01 feet to a point which bears North 77 degrees 21 minutes 00 seconds East from the radius point of said curve; thence North 83 degrees 57 minutes 00 seconds East 207.84 feet; thence North 35 degrees 51 minutes 45 seconds East 534.31 feet; thence North 39 degrees 34 minutes 44 seconds East 331.66 feet; thence North 90 degrees 00 minutes 11 seconds East 253.13 feet; thence North 14 degrees 16 minutes 15 seconds East 316.71 feet; thence North 49 degrees 04 minutes 51 seconds East 441.15 feet; thence South 89 degrees 30 minutes 17 seconds East 174.13 feet; thence North 00 degrees 29 minutes 35 seconds East 130.00 feet to the place of beginning, containing 34.17 acres, more or less. Subject to all legal easements and rights of way.

This subdivision consists of 61 lots, numbered from 315 through 331 and from 344 through 384, both inclusive, with streets as shown hereon. The size of lots and width of streets are shown in figures denoting feet and decimal parts thereof.

Witness my signature this 20th day of March, 1973.

Gary L. Kern
Gary L. Kern, Reg. L. S. - Indiana #S0136

GARY L. KERN
REGISTERED
NO.
S0136
STATE OF INDIANA
LAND SURVEYOR

DULY ENTERED FOR TAXATION
21 day May 1973
J. Milburn Fleshert, Auditor
Hamilton County

This instrument prepared by Gary L. Kern, this 20th day of March, 1973