



*First American
Title Insurance Company*

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.

DENTON TRACE SECTION ONE

COVENANTS

We, R & F Development, Inc. by GEORGE E. Reilly, VICE-PRES., owner of the real estate shown and described herein, do hereby lay off, plat and subdivide said real estate in accordance with the within plat.

This subdivision shall be known and designated as DENTON TRACE - SECTION ONE. All streets shown and not heretofore dedicated are hereby dedicated to the public.

Front building minimum and maximum setback lines are hereby established as shown on this plat, between which lines and property lines of the streets there shall be erected or maintained no buildings or structures. The strips of ground shown on this plat and marked drainage and utility easement (D. & U.E.) are reserved for the use of the public utilities for the installation of water and sewer mains, poles, ducts, line and wires, drainage facilities. The strips of ground are 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 on said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities, and to the rights of the owners of the other lots in this subdivision.

This subdivision shall be subject to the following restrictions which shall operate as perpetual covenants.

- 1. 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 roof 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 sized culverts are installed as set out in 7-52.9 of the Hancock County Subdivision Control Ordinance.
- 2. Altering Drainage Swales.** Any property owner altering, changing or damaging the drainage swales or ditches will be held responsible for such action and will be given 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.
- 3. Corner Lots** No fence, wall, hedge, tree or shrub planting which obstructs sight lines and elevations 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. The same sight line limitations 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.
- 4. Drains** No sump pump drains or other drains shall outlet on to the street. No drainage structures shall be located within driveway limits
- 5. Right-of-way** No trees shall be planted in the Hancock County right-of-way.
- 6. Driveways** All driveways and vehicle parking areas shall be hard surfaced with either concrete, asphalt or brick. No gravel or stone driveways will be permitted.
- 7. Minimum living space areas.** The minimum square footage of living space of dwellings constructed on various residential lots in the development, exclusive of porches, terraces, garages, carports, accessory buildings, or basements below ground level shall contain no less than 1800 square feet of ground floor living area for a one-story structure of 1000 square feet of minimum ground floor area if higher than one-story, provided higher than one story structures shall have a minimum of 2300 square feet of total living area, and each dwelling shall have a two or three car, attached garage.

- 8. Resident** used solely as mode of subdivision or other residential kennel, the subdivision
- 9. Building** nearer than the accessor side lot distance shall be no case
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- 11. Nuisance** any lot i which ma: All lots
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- 14. Storage** shall be
- 15. Fencing** lot near: fencing x
- 16. Antennas** placed be
- 17. Design Re** shall hav or stone. 15% accer residence 50% brick with the e allowed. 1 requireme All waive:
- 18. Construct** permitted permitted
- 19. Outbuildi** materials shall mea residence metal outl
- 20. ACCESS N** Road 600 West Brok
- 21. Duration** restricti: all partic 1, 2011 at automatic: years unl: persons w numbered 1

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FOR TAXATION

AUG 25 1992

Maribyn W. Custer
Auditor of Hancock County

DENTON TRACE COVENANTS

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COVENANTS

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8. Residential Use Only All lots in this subdivision shall be used solely for residential purposes except for residences used as model homes during the sale and development of this subdivision. No motor home, trailer, tent, shack, basement, or other outbuildings shall be used for temporary or permanent residential purposes on any lot in the subdivision. No dog kennel, junk yard or commercial business will be permitted in the subdivision.
9. Building Location No building shall be located on any lot nearer to the front line or nearer to the side street line than the minimum building setback lines shown on the plat. No accessory building shall be located closer to any front or side lot line than the required minimum front and side yard distance for the primary dwelling. No accessory building shall be located closer to any rear lot than 15 feet, but in no case shall it encroach upon any easement.
10. Health Concerns All water systems and methods of sewage disposal in this subdivision are to be in compliance with the regulations or procedures by the State Board of Health or other civil authority having jurisdiction.
11. Nuisances No noxious or offensive trade shall be carried upon any lot in this subdivision nor shall anything be done thereon which may become a nuisance or annoyance to the neighborhood. All lots must be kept mowed.
12. Limitation on time All residential construction must be completed within one year after the starting date, including the final grading.
13. Parking Limitations No boat, camper, bus or trailer shall be parked closer to the street than the building setback line. No inoperative or unlicensed vehicle shall be parked on or repaired on any lot in this subdivision or on any street thereof.
14. Storage Tanks All fuel storage tanks in this subdivision shall be buried below ground.
15. Fencing No fence or wall shall be erected or placed on any lot nearer to any street than the front of the residence. All fencing must be maintained in good condition.
16. Antennas Any external TV Antenna or satellite dish shall be placed behind the residence.
17. Design Requirements Each one story and 1 1/2 story residence shall have an exterior constructed of no less than 70% brick or stone. This should be interpreted to mean four sides with 15% accent siding where needed or desired. Each 2 story residence shall have an exterior construction of no less than 50% brick or stone. All exterior siding shall be horizontal with the exception of the gables where vertical siding will be allowed. All chimneys must be brick or stone veneer on all sides. The roof shall be no less than 6/12 pitch. These requirements can be waived by the developers or their assigns. All waivers will be in writing.
18. Construction Methods No modular or concrete homes will be permitted in this subdivision. No wood foundations shall be permitted.
19. Outbuildings All outbuildings shall be constructed of new materials and be similar in appearance (similar in appearance shall mean same roof color and same trim color) with the residence on the lot on which the building is being built. No metal outbuildings shall be permitted.
20. Access No private residential driveway shall access County Road 600 West. Driveways for lots 1 and 28 shall enter from West Broken Arrow Drive.
21. Duration of Covenants The foregoing covenants, conditions and restrictions are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 2011 at which time said covenants and restrictions shall be automatically extended for successive periods of ten (10) years unless changed in whole or in part by vote of these persons who are then the Owners of the majority of the numbered lots in the Development.

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FOR TAXATION

AUG 25 1992

Marilyn W. Counter
Auditor of Hancock County