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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

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APR 25 11 40 AM '91

CLERK OF COURSE
HAMILTON COUNTY

APR 24 1991

RECORDS SECTION

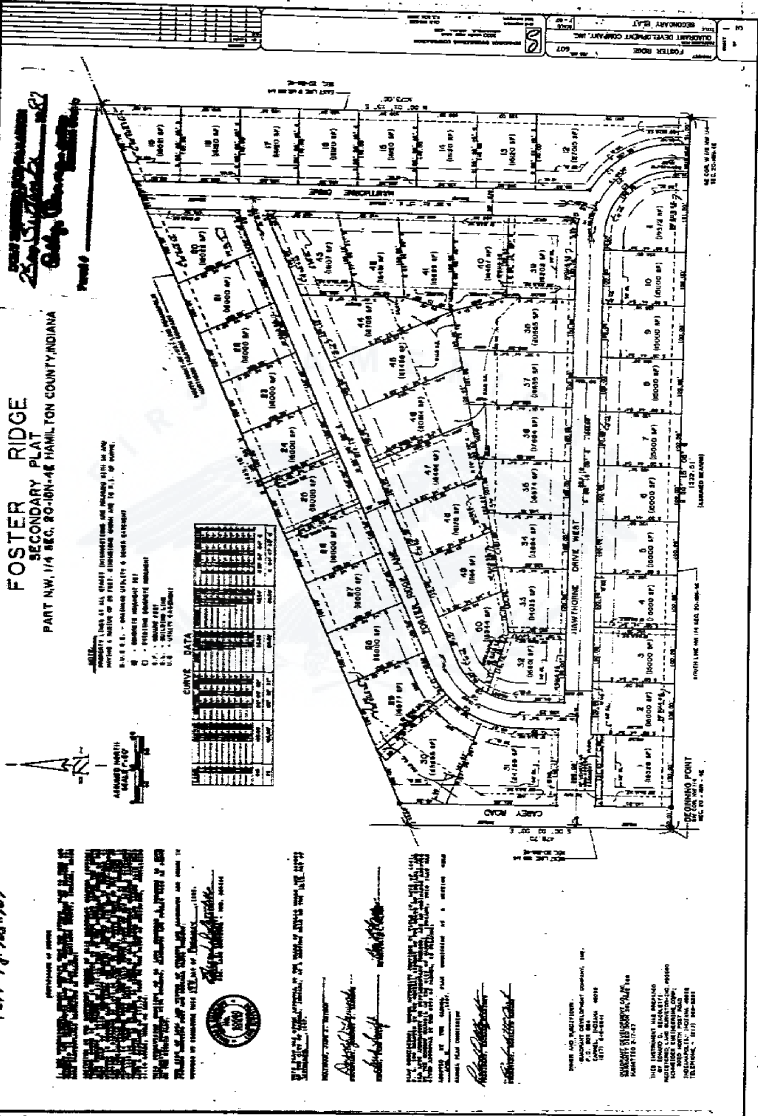


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APPROVED BY THE BOARD OF SUPERVISORS
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PLANNING AND ZONING DEPARTMENT
HAMILTON COUNTY, INDIANA
100 EAST WASHINGTON STREET
SPRINGFIELD, INDIANA 47571
PHONE 317-375-2000
FAX 317-375-2001
HAMILTON COUNTY, INDIANA
PLANNING AND ZONING DEPARTMENT
100 EAST WASHINGTON STREET
SPRINGFIELD, INDIANA 47571
PHONE 317-375-2000
FAX 317-375-2001



258 P. 10
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FOSTER RIDGE SECONDARY PLAT

NOTY RECORDED FOR PAYMENT

258 P. 10

DEED OF CONVEYANCE AND PROTECTIVE COVENANTS

THE QUADRANT DEVELOPMENT COMPANY, INC., BY JOHN T. SCHULTZ, PRESIDENT, AND G. WILLIAM WRIGHT, SECRETARY, BEING THE OWNERS OF THE QUADRANT DEVELOPMENT COMPANY ESTATE, DO HEREBY LAY OFF, PLAT AND SUBDIVIDE THE SAME INTO LOTS, PUBLIC WAYS AND EASEMENTS IN ACCORDANCE WITH THE WITHIN PLAT. THE WITHIN PLAT SHALL BE KNOWN AND DESIGNATED AS FOSTER RIDGE SUBDIVISION, AN ADDITION IN HAMILTON COUNTY, CLAY TOWNSHIP, INDIANA.

SHRUBBERY: THE SUBJECTS, TOGETHER WITH ALL EXISTING AND FUTURE PLANTINGS, TREES AND SHRUBBERY THEREON, AS SHOWN ON THE WITHIN PLAT ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES, RESERVING TO THE DEDICATORS, THEIR SUCCESSORS OR ASSIGNS THE REVERSION OR REVERSIONS THEREON, WHENEVER DISCONTINUED BY LAW. MAINTENANCE OF THE ISLAND AREA AT THE ENTRANCE SHALL BE THE RESPONSIBILITY OF THE NEIGHBORING INDIVIDUALS.

BUILDINGS OR STRUCTURE: NO BUILDINGS OR STRUCTURE SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE OR NEARER TO THE SIDE STREET LOT LINE (NUMBERED LOTS) THAN THE NEAREST BUILDING SETBACK LINES AS SHOWN ON THE WITHIN PLAT.

EASEMENTS: THERE ARE STRIPS OF GROUND AS SHOWN ON THE WITHIN PLAT MARKED D.U.S.E. DRAINAGE, UTILITY AND SEWER EASEMENT WHICH ARE RESERVED FOR THE USE OF PUBLIC UTILITY COMPANIES, INCLUDING CABLE TELEVISION COMPANIES, BUT NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLATION AND MAINTENANCE OF MAINS, DUCTS, POLES, LINES, TRENCHES, SEWERS AND DRAINS, SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES, AND TO THE ORDINANCES HEREIN REFERENCED. NO PERMANENT OR OTHER STRUCTURES SHALL BE ERRECTED OR MAINTAINED ON SAID STRIPS EXCEPT FOR FENCES, DRIVEWAYS AND OTHER STRIPS OF GROUND OWNED BY SUCH LOTS IN THIS ADDITION, HOWEVER SHALL TAKE THEIR TITLE SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES AND OTHER OWNERS OF SUCH LOTS IN THIS ADDITION TO SAID EASEMENTS HEREIN GRANTED FOR DRAINAGE AND EGRESS IN, ALONG AND THROUGH THE STRIPS SO RESERVED.

LAND USE: ALL NUMBERED LOTS IN THIS ADDITION SHALL BE DESIGNATED AS RESIDENTIAL LOTS. NO BUILDINGS SHALL BE ERRECTED, ALTERED, PLACED, OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE DETACHED SINGLE-FAMILY DWELLING.

LAND USE: NO HOTEL, BUILDING, BOARDING HOUSE, MERCANTILE OR FACTORY BUILDING OR BUILDINGS OF ANY KIND FOR COMMERCIAL USE SHALL BE ERRECTED OR MAINTAINED ON ANY LOT WITHIN THIS ADDITION.

TEMPORARY STRUCTURES: NO TRAILER, TENT, SHACK, BASEMENT, GARAGE, BARN OR OTHER OUTBUILDING OR TEMPORARY STRUCTURE SHALL BE USED FOR TEMPORARY OR PERMANENT RESIDENTIAL PURPOSE ON ANY LOT IN THIS ADDITION.

FLOOR AREA: NO ONE-STORY DWELLING SHALL BE ERRECTED ON ANY LOT IN THIS ADDITION HAVING A MAIN FLOOR AREA OF LESS THAN 1300 SQUARE FEET AND NO RESIDENCE WITH MORE THAN ONE-STORY SHALL HAVE A MAIN FLOOR AREA OF LESS THAN 1000 SQUARE FEET EXCLUSIVE OF OPEN PORCHES AND GARAGES.

LAND USE: NO BUILDINGS SHALL BE ERRECTED, PLACED OR ALTERED ON ANY BUILDING PLOT IN THIS ADDITION UNTIL THE BUILDING PLANS, SPECIFICATIONS AND PERMIT PLANS 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 BUILDINGS WITH RESPECT TO TOPOGRAPHY AND FINISHED GROUND ELEVATION, BY A COMMITTEE (ARCHITECTURAL CONTROL COMMITTEE) COMPOSED OF THE UNDERSIGNED OWNERS OF THE WITHIN DESCRIBED REAL ESTATE, OR BY THEIR ONLY AUTHORIZED REPRESENTATIVE. IN THE EVENT OF THE DEATH OR RESIGNATION OF ANY MEMBER OF SAID COMMITTEE, THE REMAINING MEMBER OR MEMBERS SHALL HAVE FULL AUTHORITY TO APPROVE OR DISAPPROVE SUCH DESIGN AND RETURN 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 SO APPROVED. WHETHER THE COMMITTEE MEMBERS NOR THE DESIGNATED REPRESENTATIVES SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED HEREIN TO THIS COVENANT.

NEIGHBORHOOD: NO NOISY 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.

STORM WATER DRAINAGE: IN THE EVENT STORM WATER DRAINAGE FROM ANY LOT OR LOTS FLOW ACROSS ANOTHER LOT, PROVISION SHALL BE MADE TO PERMIT SUCH DRAINAGE TO CONTINUE WITHOUT RESTRICTION OR REDUCTION (ARTIFICIAL AND/OR NATURAL) ACROSS THE DOWNSTREAM LOT AND INTO THE NATURAL DRAINAGE CHANNEL, OR CANAL, EVEN THOUGH NO SPECIFIC DRAINAGE EASEMENT FOR SUCH FLOW OF WATER IS PROVIDED ON THE WITHIN PLAT.

FENCES: NO FENCE SHALL BE ERRECTED ON OR ALONG ANY LOT LINE, NOR ON ANY LOT, THE PURPOSE OF WHICH WILL BE TO OBSTRUCT REASONABLE VISION, LIGHT OR AIR, AND ALL FENCES SHALL BE KEPT IN GOOD REPAIR AND ERRECTED REASONABLY SO AS TO ENCLOSE THE PROPERTY AND DECORATE THE SAME WITHOUT HINDRANCE OR OBSTRUCTION TO ANY OTHER PROPERTY. NO FENCE SHALL BE ERRECTED BETWEEN THE FRONT PROPERTY LINES AND THE BUILDING SETBACK LINE OTHER THAN A FENCE OF A RESISTIVE INFRAPE NOT EXCEEDING THREE (3) FEET IN HEIGHT.

ANIMALS: NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND 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 ANY COMMERCIAL PURPOSES.

LIGHTS: IT SHALL BE THE RESPONSIBILITY OF THE INDIVIDUAL LOT OWNERS TO ERRECT AND MAINTAIN A "DUSK TILL DAWN" TYPE LIGHT IN FRONT OF THEIR RESPECTIVE FRONT YARDS.

PLANNING COMMISSION: UNDER AUTHORITY PROVIDED BY TITLE 36, ACTS OF 1981, P. L. 308 ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY OR SUPPLEMENTARY THEREIN, AND AN ORDINANCE ADOPTED BY THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE CITY OF CARMEL, AS FOLLOWS:

APPROVED BY THE CARMEL PLANNING COMMISSION AT A MEETING HELD ON APRIL 21, 1987.

Richard M. Walker
PRESIDENT RICHARD WALKER

CARMEL PLANNING COMMISSION

Rosalind M. Hart
SECRETARY ROSALIND HART

Edward D. Giacchetti
EDWARD D. GIACCHETTI

THIS PLAT WAS GIVEN APPROVAL BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF CARMEL, INDIANA, AT A MEETING HELD ON THE 16th DAY OF SEPTEMBER, 1987.

James A. Pearson
COMMISSIONER JAMES A. PEARSON

Richard M. Walker
MEMBER RICHARD WALKER

Fred Swift
MEMBER FRED SWIFT

Joseph J. Hancock
SECRETARY JOSEPH J. HANCOCK



FOSTER RIDGE

SECONDARY PLAT

USE OF SIDEWALK AND PROTECTIVE COVENANTS

SUBDIVISION: A SIDEWALK NO LESS THAN FOUR (4) FEET IN WIDTH, SHALL BE RESERVE, ACROSS THAT PORTION OF A LOT WHICH IS CONSIDERED THE FRONTAGE, INSTALLATION AND MAINTENANCE OF SAID SIDEWALK SHALL BE THE RESPONSIBILITY OF THE INDIVIDUAL LOT OWNERS.

ENFORCEMENT: IF THE PARTIES HERETO, OR ANY OF THEM, OR THEIR HEIRS OR ASSIGNS SHALL VIOLATE OR ATTEMPT TO VIOLATE ANY OF THESE COVENANTS, RESTRICTIONS, PROVISIONS OR CONDITIONS HEREIN, IT SHALL BE LAWFUL FOR ANY OTHER PERSON OWNING ANY REAL PROPERTY SITUATED IN THIS ADDITION TO PROSECUTE AND PROCEEDINGS AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, AND EITHER TO PREVENT THEM OR THEM FROM DOING SO, OR TO RECOVER DAMAGE OR OTHER DUES FOR SUCH VIOLATION.

ENFORCEMENT: THE RIGHT TO ENFORCE THESE PROVISIONS BY JUDICIAL ACTION, TOGETHER WITH THE RIGHT TO CAUSE THE REMOVAL, BY DUE PROCESS OF LAW, OF ANY SIDEWALK OR PAVEMENT CREATED, 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.

NOTE: THE HEREIN COVENANTS, LIMITATIONS, AND RESTRICTIONS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES CLAIMING UNDER THEM. THESE COVENANTS SHALL BE IN FULL FORCE AND EFFECT FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM RECORDING DATE, AT WHICH TIME SAID COVENANTS APPEARED TO CHANGE THE COVENANTS IN WHOLE OR IN PART, TERMINATION OF ANY OF THE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, GUARDANT DEVELOPMENT COMPANY INC., HAVE HEREBY CAUSED ITS AND THEIR NAMES TO BE SUBSCRIBED THIS 22nd DAY OF FEBRUARY 1987

BY: John T. Schatz
 JOHN T. SCHATZ, PRESIDENT
 ATTEST: William Wright
 W. WILLIAM WRIGHT, SECRETARY

DEED RECORDED IN THE CLERK'S OFFICE OF THE COUNTY OF CARMEL, INDIANA
Book 23, Page 118
 Feb 23, 1987

STATE OF INDIANA)
 COUNTY OF CARMEL)

BEFORE ME A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE PERSONALLY APPEARED GUARDANT DEVELOPMENT COMPANY, INC., JOHN T. SCHATZ, PRESIDENT AND W. WILLIAM WRIGHT, SECRETARY, AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS ITS VOLUNTARY ACT AND DEED AND AFFIRMED THEIR SIGNATURE THEREON.

WITNESSED BY SIGNATURE AND NOTARY SEAL THIS 22nd DAY OF FEBRUARY 1987.
 NOTARY PUBLIC Bernice A. Smith
 BERNICE A. SMITH

MY COMMISSION EXPIRES FEB 24, 1989 COUNTY OF RESIDENCE Marion

PLAN COMMISSION: UNDER AUTHORITY PROVIDED BY TITLE 36, ACTS OF 1981, P. L. 308 ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY OR SUPPLEMENTARY THEREIN, AND AN ORDINANCE ADOPTED BY THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA, THIS PLAT HAS BEEN APPROVED BY THE CITY OF CARMEL, AS FOLLOWS:

ADOPTED BY THE CARMEL PLAN COMMISSION AT A MEETING HELD ON APRIL 2, 1987.
 CARMEL PLAN COMMISSION

Robert A. Wright
 PRESIDENT ROBERT ALDRIDGE

Resalino Mcgart
 SECRETARY RESALINO MCGART

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 MAR 23 11 40 AM '87
 SHARON K. ORBERT
 RECORDER
 HANCOCK CO., IN
 201-69-07

I, BERNICE A. SMITH, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA.

THIS SAID PLAT CORRECTLY REPRESENTS A SURVEY COMPLETED BY ME ON FEBRUARY 17, 1987, THAT ALL THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THAT THE LOCATION, SIZE, TYPE AND MATERIAL ARE ACCURATELY SHOWN AND THAT ALL REQUIREMENTS SPECIFIED IN THE SUBDIVISION ORDINANCE OF THE CITY OF CARMEL HAVE BEEN COMPLIED WITH.

Bernice A. Smith
 REAL LAND SURVEYOR - INDIANA LICENSE NO. 10000



THIS INSTRUMENT PREPARED BY JOHN T. SCHATZ, PRESIDENT, GUARDANT DEVELOPMENT COMPANY INC.,