

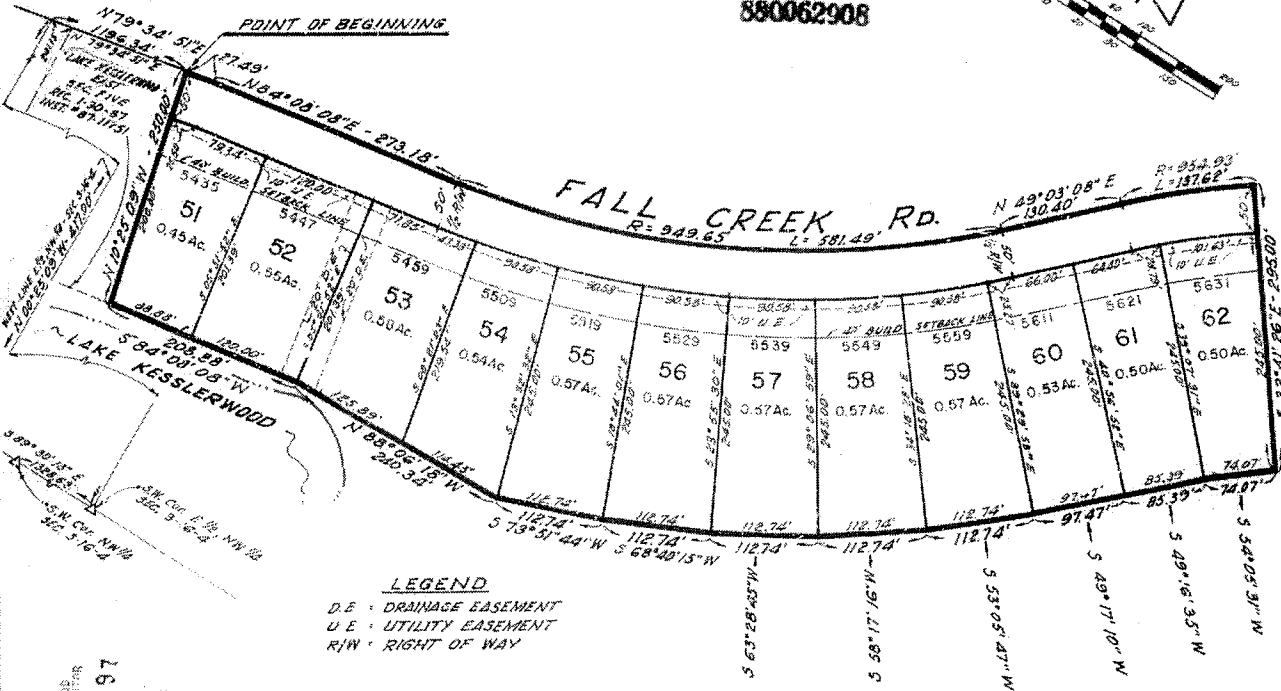
LAKE KESSLERWOOD EAST SECTION SIX

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08 JUN 28 PM 2:2

DEPT. OF LANDS
MARION COUNTY RECORDS

880062908



LEGEND

- D.E. - DRAINAGE EASEMENT
- U.E. - UTILITY EASEMENT
- R/W - RIGHT OF WAY

880062908

I, the undersigned, hereby certify that to the best of my knowledge and belief the within plat accurately represents a survey performed under my supervision of part of the East half of the Northwest Quarter and part of the Northeast Quarter of Section 3, Township 16 North, Range 4 East, in Marion County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of the East Half of said Northwest Quarter; thence North 00 degrees 25 minutes 09 seconds West along the West line of said Half Quarter Section 417.00 feet to its intersection with the center line of Fall Creek Road (as located August 20, 1963 and now exists, the next six courses are along said center line); (1) thence North 79 degrees 34 minutes 51 seconds East 1196.34 feet to the Northeast corner of Lake Kesslerwood East Section Five, a subdivision in Marion County, Indiana, the plat of which was recorded in the Office of the Recorder of Marion County, Indiana on January 30th 1967 as Instrument No. 87-11751 and the Point of Beginning; (2) thence continuing North 79 degrees 34 minutes 51 seconds East 27.49; (3) thence North 84 degrees 08 minutes 08 seconds East 273.18 to a curve having a radius of 949.65 feet, the radius point of which bears North 05 degrees 51 minutes 52 seconds West; (4) thence Northeast along said curve 581.49 feet to a point which bears South 40 degrees 56 minutes 52 seconds East from said radius point; (5) thence North 49 degrees 03 minutes 08 seconds East 130.40 feet to a curve having a radius of 954.93 feet the radius point of which bears South 40 degrees 56 minutes 52 seconds East; (6) thence Northeast along said curve 137.62 feet to a point which bears North 32 degrees 41 minutes 26 seconds West from said radius point; thence South 32 degrees 41 minutes 26 seconds East 295.00 feet; thence South 54 degrees 05 minutes 31 seconds West 74.07 feet; thence South 49 degrees 16 minutes 35 seconds West 85.39 feet; thence South 49 degrees 17 minutes 10 seconds West 97.47 feet; thence South 53 degrees 26 minutes 05 seconds East 112.74 feet; thence South 58 degrees 17 minutes 16 seconds West 112.74 feet; thence South 63 degrees 28 minutes 45 seconds West 112.74 feet; thence South 68 degrees 40 minutes 15 seconds West 112.74 feet; thence South 73 degrees 45 minutes 44 seconds West 112.74 feet; thence North 88 degrees 06 minutes 18 seconds West 240.34 feet; thence South 84 degrees 08 minutes 08 seconds West 208.88 feet to the Southeast corner of said Lake Kesslerwood East Section Five; thence along the East line thereof North 10 degrees 25 minutes 09 seconds West 250.00 to the Place of Beginning, containing 7.82 acres, more or less.

This subdivision consists of 12 lots numbered 51 through 62, inclusive. The size of the lots and widths of the street are shown in figures denoting feet and decimal parts thereof.

Witness my signature this 16th day of June, 1988.



James E. Bankert, R.L.S. #4028

APPROVED BY
DAY OF
LAWRENCE TOWNSHIP
MARION COUNTY, INDIANA



FINAL APPROVAL
PLAT COMMITTEE
METROPOLITAN DEVELOPMENT COMMISSION
DIVISION OF DEVELOPMENT SERVICES
MARION COUNTY, INDIANA

6-28-88

PROPER PUBLIC NOTICE OF THE HEARING HAS BEEN PUBLISHED

[Signatures]

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VOID UNLESS RECORDED BEFORE 5-11-90

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The undersigned, owners of record of all of the included tract, do hereby lay off, plat and subdivide the same into lots in accordance with the within plat.

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This subdivision shall be known and designated as LAKE KESSLERWOOD EAST - SECTION SIX, an addition in Indianapolis, Marion County, Indiana.

- A. Street Dedication: The street right of way shown on the within plat is hereby dedicated to the public for public use.
- B. All lots shall be designated as residential lots. On said residential lots, only one single family dwelling with garage and necessary buildings may be erected.
- C. No structure, other than fences or attached open porches, shall be erected nearer to the front of the lot than the building line shown in the plat and no building shall be nearer than 7 feet to each side lot line.
- D. Easements: There are strips of ground as shown on the within plat marked "Drainage Easement" (D.E.), and "Utility Easements" (U.E.), which are reserved for the use of public utility companies and governmental agencies as follows: "Drainage Easements" (D.E.) are created to provide paths and courses for area and local storm drainage either overland or in adequate underground conduit, to serve the needs of this and adjoining ground and/or the public drainage system. No structure, including fences, shall be built upon said easement, which will obstruct flow from the area being served. "Utility Easements" (U.E.) are created for the use of all public utility companies, not including transportation companies, for the installation and maintenance of mains, ducts, poles, lines, wires and also all rights and uses specified for sewer easements above designated. The owners of all lots and blocks in this addition shall take title subject to the rights of the public utilities, governmental agencies, and the rights of the other lot owners in this addition, to said easement herein granted for ingress and egress in, along and through the strips of ground for the purposes herein stated.
- E. No residence shall be erected on any lot which has an area of less than 14,000 square feet, or a width of less than 80 feet at the front building set back line.
- F. Driveway Access: All lots shall access to Fall Creek Road and shall contain a driveway with a turnaround paved area to permit vehicles to exit each lot without backing out onto the public roadway.
- G. No noxious or offensive trade or activity shall be carried on nor shall anything be done which may be or become an annoyance or nuisance to the neighborhood.
- H. No trailer, tent, basement, shack, garage, barn or other outbuilding erected hereon shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence.
- I. No private sewage disposal method shall be employed or maintained on any lot in this addition.
- J. No dwelling shall be permitted unless the ground floor area of the main structure, exclusive of open porches and garages, shall be not less than 1700 square feet, in the case of one-story structures, or not less than 1300 square feet in the case of one and one-half, two or two and one-half story structures. The minimum ground floor area shall be measured at the exterior of the dwelling units and on multi floor level dwellings the vertical projection of the exterior wall lines less the open porches and garages shall enclose the minimum floor area.
- K. No building shall be erected, placed or altered herein until the building plans, specifications and plot plans showing the location of such building have been approved in writing as to the conformity and harmony of external design with existing structures in the neighborhood, as to conformity with the plat, including these restrictions, and as to location of the building with respect to topography and finish ground elevations, by LKI Holdings, Inc., its successor or assigns. Such authority may be assigned to a Neighborhood Association or Architectural Committee of Lot Owners. In the event LKI Holdings, Inc. fails to approve or disapprove such design or location within 30 days after said plans and specifications have been submitted to it, or in any event, if no suit to enjoin the erection of such building or the making of such alterations have been commenced prior to the completion thereof, such approval will not be required and this covenant will be deemed to have been fully complied with. The powers and duties of LKI Holdings, Inc., as set forth herein will cease on and after 20 years from the date of the signing of this covenant or upon the erection of a residence on each lot in said addition, whichever occurs sooner.
- L. No fence, wall, hedge or any man-made obstruction shall be permitted within fifty (50) feet to the lakeside property line of each lot, unless approved in writing by LKI Holdings, Inc., its successor or assigns.
- M. Enforcement: The right to enforce the within provisions, restrictions and covenants by injunction together with the right to cause the removal by due process of law of structures erected or maintained in violation therein is hereby dedicated and reserved to the owners of the several lots in this subdivision, their heirs or assigns, and the Metropolitan Development Commission, their successors or assigns, who shall be entitled to such relief without being required to show any damage of any kind to any such owner or owners, by or through any such violation or attempted violation. Said provisions shall be in full force and effect until July 1, 2007 at which time said covenants shall be automatically extended for successive periods of ten years (10), unless by a 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 court order shall in no wise affect any of the other provisions which shall remain in full force and effect.
- N. Covenants run with the land: The foregoing covenants, limitations and restrictions are to run with the land and are binding on all persons and parties claiming under them.

In witness whereof, LKI Holding, Inc., an Indiana Corporation, has executed this instrument and caused their names to be subscribed thereto this 14th day of June 1998.

STATE OF INDIANA)
) SS: 880062908
COUNTY OF MARION

LKI HOLDINGS, INC.
formerly
LAKE KESSLERWOOD, INC. 880062908

Personally appeared before me, the undersigned, a Notary Public in and for said County and State LKI Holdings, Inc. by Thomas S. Osborne, President and Richard G. Hall, Secretary, acknowledge execution of the above and foregoing certificate as its and their act and deed for the uses and purposes therein expressed.

By Thomas S. Osborne
Thomas S. Osborne, President

Witness my hand and seal this 14th day of June 1998.

Attest Richard G. Hall
Richard G. Hall, Secretary

My Commission Expires: 8-24-99
Notary Public Patricia A. Adams
(Patricia Adams)

County of Residence: Marion



"The Metropolitan Development Commission, its successors and assigns, shall have no right, power or authority, to enforce any covenants, commitments, restrictions or other limitations contained in this plat other than those covenants, commitments, restrictions or limitations that expressly run in favor of the Metropolitan Development Commission; provided further, that nothing herein shall be construed to prevent the Metropolitan Development Commission from enforcing any provisions of the subdivision control ordinance, 58-A0-3, as amended, or any conditions attached to approval of this plat by the Plat Committee".

RIGHT DISTANCE AT INTERSECTIONS: NO FENCE, WALL, HEDGE, TREE OR SHrub PLANTING WHICH OBSTRUCTS RIGHT LINES AT INTERSECTIONS BETWEEN 100 (10) FEET AND SIX (6) FEET ABOVE THE ELEVATIONS BETWEEN 100 (10) FEET AND SIX (6) FEET ABOVE THE STREET SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER OF EITHER THE TRIANGULAR AREA FORMED BY THE STREET RIGHT-OF-WAY LINES AND A LINE CONNECTING POINTS TWENTY-FIVE (25) FEET FROM THE INTERSECTION OF SAID STREET LINES OR IN THE CASE OF A CORNER PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET RIGHT-OF-WAY LINES. EXCEPT, THE SAME RIGHT LINE LIMITATIONS SHALL APPLY TO ANY LOT WITHIN TEN (10) FEET OF THE INTERSECTION OF A STREET RIGHT-OF-WAY LINE WITH THE EDGE OF A DRIVEWAY, PAVEMENT OR ALLEY LINE. NO TREE SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCES OF SUCH INTERSECTION UNLESS THE FOLLOWING IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF THE RIGHT LINE.

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LEAH W. MATHIAS
MARION COUNTY RECORDER