

MURFIELD SUBDIVISION - SECTION FOUR

LEGAL DESCRIPTION

1, THE UNDERSIGNED, HEREBY CERTIFY THE WITHIN PLAT TO BE TRUE AND CORRECT, REPRESENTING A SUBDIVISION OF A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER AND A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 4 EAST, MARION COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 01 DEGREES 06 MINUTES 35 SECONDS WEST 1345.91 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 88 DEGREES 52 MINUTES 14 SECONDS WEST 324.24 FEET; THENCE NORTH 01 DEGREES 07 MINUTES 46 SECONDS EAST 31.22 FEET; THENCE NORTH 88 DEGREES 52 MINUTES 14 SECONDS WEST 253.52 FEET; THENCE NORTH 80 DEGREES 12 MINUTES 33 SECONDS WEST 90.35 FEET; THENCE NORTH 29 DEGREES 25 MINUTES 24 SECONDS WEST 594.68 FEET; THENCE NORTH 53 DEGREES 52 MINUTES 46 SECONDS EAST 21.91 FEET; THENCE NORTH 36 DEGREES 07 MINUTES 14 SECONDS WEST 200.00 FEET; THENCE NORTH 53 DEGREES 52 MINUTES 46 SECONDS EAST 70.00 FEET; THENCE NORTH 82 DEGREES 38 MINUTES 29 SECONDS EAST 138.55 FEET; THENCE SOUTH 88 DEGREES 52 MINUTES 14 SECONDS EAST 45.00 FEET; THENCE NORTH 01 DEGREES 07 MINUTES 46 SECONDS EAST 668.51 FEET; THENCE SOUTH 89 DEGREES 26 MINUTES 55 SECONDS WEST 2.33 FEET; THENCE NORTH 00 DEGREES 33 MINUTES 05 SECONDS WEST 383.01 FEET; THENCE SOUTH 89 DEGREES 26 MINUTES 55 SECONDS WEST 24.74 FEET; THENCE NORTH 00 DEGREES 33 MINUTES 05 SECONDS WEST 137.00 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 26 MINUTES 55 SECONDS EAST 876.56 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREES 02 MINUTES 59 SECONDS WEST 659.52 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING AND CONTAINING 33.705 ACRES, MORE OR LESS.

SUBJECT TO ALL LEGAL HIGHWAYS, RIGHTS OF WAY AND EASEMENTS OF RECORD.

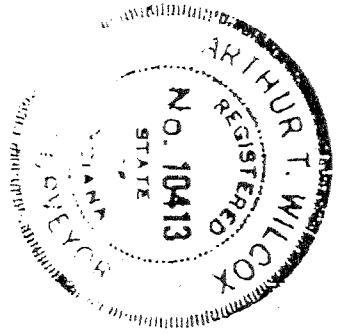
THIS SUBDIVISION CONSISTS OF 121 LOTS NUMBERED FROM 321 TO 441 BOTH INCLUSIVE, WITH STREETS AS SHOWN HEREON. THE SIZE OF THE LOTS AND WIDTHS OF THE STREETS ARE SHOWN IN FIGURES DENOTING FEET AND DECIMAL PARTS THEREOF.

WITNESS MY SEAL AND SIGNATURE THIS DAY OF JULY 22, 1976

Arthur T. Wilcox

Rev 5/22/77

ARTHUR T. WILCOX #10413
REGISTERED LAND SURVEYOR
STATE OF INDIANA



BEING OWNERS OF RECORD OF ALL THE INCLUDED TRACT, AGREE:

A. TO BUILD RESIDENTIAL HOMES WHICH WILL CONTAIN AT LEAST 1200 SQUARE FEET OF LIVING SPACE AS REQUIRED UNDER THE PRESENT D-2 RESIDENTIAL DISTRICT ORDINANCE

B. THAT NO MOBILE HOMES WILL BE PLACED IN SAID ADDITION OR ALLOWED TO REMAIN IN SAID ADDITION.

C. THAT EACH RESIDENTIAL HOME WILL HAVE AT LEAST A SINGLE CAR ATTACHED GARAGE AND NO CARPORTS.

D. THAT DRIVEWAYS WILL BE CONSTRUCTED TO SAID RESIDENCES AND WILL BE PAVED WITH A HARD SURFACE, SUCH CONSTRUCTION TO BE COMPLETED NO LATER THAN ONE (1) YEAR AFTER THE CONVEYANCE OF ANY LOT OR PARCEL IN THIS PROPOSED ADDITION, AND NO DRIVEWAY WILL BE CONSTRUCTED OVER A STORM WATER DRAIN INLET.

E. THAT NO FENCES WILL BE ERECTED IN FRONT OF THE SETBACK LINES UNLESS THAT POLICY IS CHANGED BY PROPER AMENDMENT OF THE APPLICABLE ZONING ORDINANCE.

F. THAT NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN TWO (2) AND SIX (6) FEET ABOVE THE STREET, SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET PROPERTY LINES AND A LINE CONNECTING POINTS TWENTY-FIVE (25) FEET FROM THE INTERSECTION OF SAID STREET LINES, OR IN THE CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL APPLY TO ANY LOT WITHIN TEN (10) FEET FROM THE INTERSECTION OF A STREET LINE WITH THE EDGE OF A DRIVEWAY PAVEMENT. NO TREES SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCES OF SUCH INTERSECTION UNLESS FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SIGHT LINE.

G. ALL RESIDENCES WILL BE SINGLE FAMILY USE, NO DOUBLES EVEN ON CORNER LOTS AS OTHERWISE PERMITTED BY THE D-3 ORDINANCE.

H. THAT LOT NUMBERED 321 IN SECTION 4, MUST BE AT LEAST 15,000 SQUARE FEET IN SIZE.

I. THAT THE DRAINAGE EASEMENT INURES TO THE BENEFIT OF EVERYONE WITHIN THE FEATHER RUN WATERSHED, NOT MERELY TO INDIVIDUAL PROPERTY OWNERS, AND THAT NO FENCE, SHRUBBERY, PLANTING, OR STRUCTURE WILL BE PLACED OR PERMITTED TO REMAIN WITHIN THE EASEMENT WHICH WILL IMPEDE THE FLOW OF WATER.

THE ABOVE COVENANTS SHALL BIND NOT ONLY THE PARTIES TO THE AGREEMENT, (BETWEEN FORTRESS SERVICE CORPORATION, FRANKLIN TOWNSHIP CIVIC ASSOCIATION, AND WYNKER HILL NEIGHBORHOOD ASSOCIATION) EXECUTED SEPTEMBER 5, 1975, BUT ALSO RICHARD D. MUIR, CLARENCE E. WALTERS, CO-TRUSTEES OF MUIRFIELD DEVELOPMENT CO., AS ASSIGNEES OF FORTRESS SERVICE CORPORATION AND ARE INCLUDED IN THE PLAT OF THIS ADDITION AND SHALL BIND THE SUBJECT PREMISES AND RUN WITH THE LAND. IT IS FURTHER AGREED BY AND BETWEEN THE PARTIES, THAT THE AGREEMENT AND COVENANTS THEREIN AND THE RIGHT TO ENFORCE THE SAME SHALL EXTEND TO THE PARTIES TO SAID AGREEMENT, THEIR HEIRS AND 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, AND THAT ANY CHANGES, MODIFICATIONS OR TERMINATION OF SAID AGREEMENT MAY BE EXECUTED BY THE THEN OWNERS OF THE REAL ESTATE AND THE PARTIES HERETO, THEIR HEIRS OR ASSIGNS.

WITNESS OUR SIGNATURES AND CORPORATE SEAL THIS _____ DAY OF _____, 19____.

MUIRFIELD DEVELOPMENT CO.

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