

Covenants

For

PINE KNOLL SECTION 2 - 8 pages -

NO SEPARATE DECLARATION -

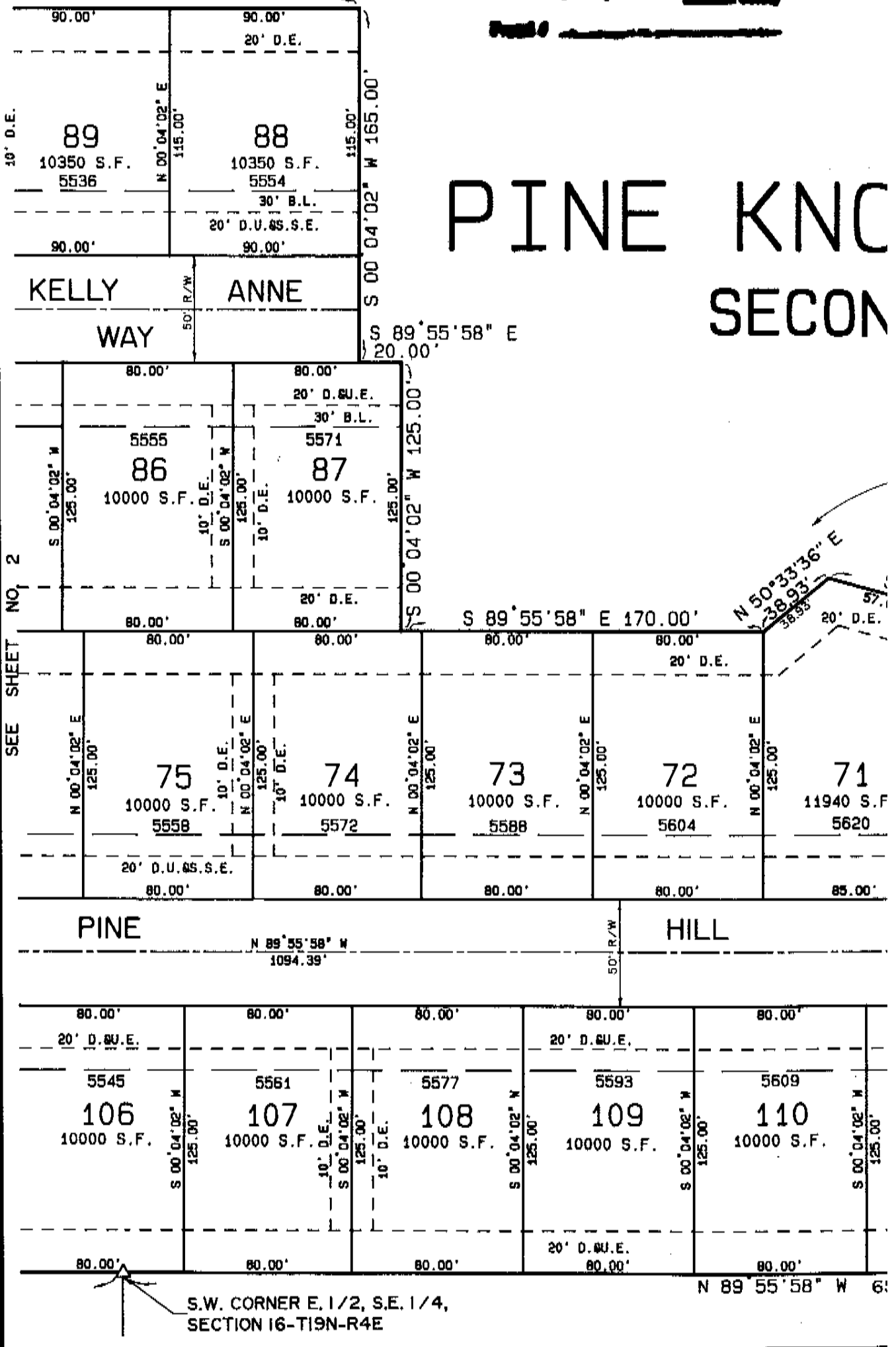
Hamilton County

THIS INSTRUMENT PREPARED BY:
 DAVID J. STOEPPELWERTH
 STOEPPELWERTH & ASSOCIATES, INC.
 9940 ALLISONVILLE ROAD
 P.O. BOX 509007
 INDIANAPOLIS, INDIANA 46250
 PHONE: (317)-849-5935

DULY ENTERED FOR TAXATION
 Subject to final acceptance for transfer

15. day of July 2008
David J. Stoeppelwerth
 David J. Stoeppelwerth

PLAT 0



**PINE KNC
 SECON**

SEE SHEET NO. 2

PLAT 0

S.W. CORNER E. 1/2, S.E. 1/4,
 SECTION 16-T19N-R4E

N 50°33'36" E
 128.93'
 38.95'
 57'

PLAT
11
022

9226830

Instrument No. _____
P.C. No. 1 Slide No. 249

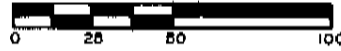
8:40 am
RECEIVED FOR RECORD

JR 15 92

Sharon H. Cherry
HAMILTON COUNTY RECORDER



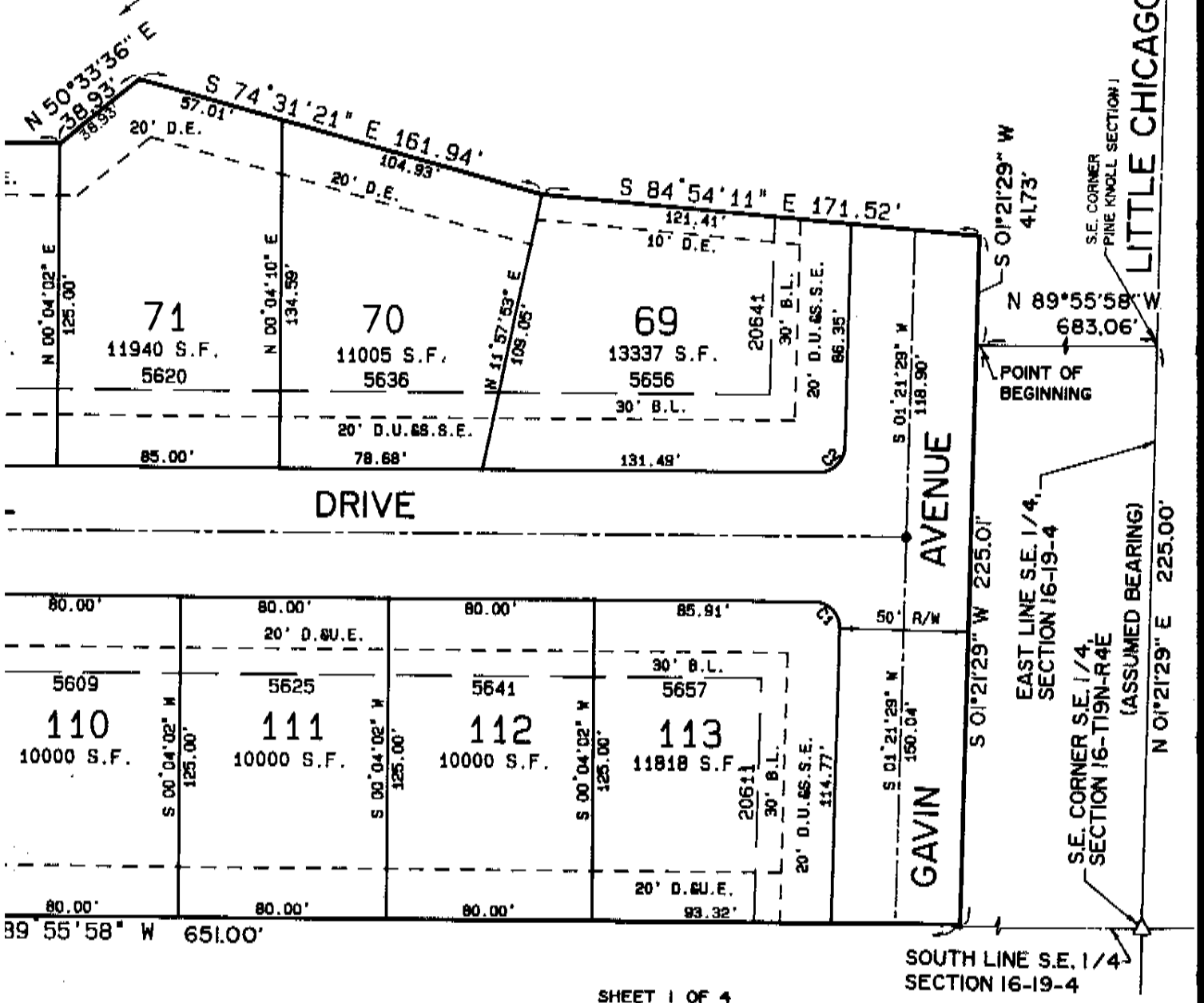
GRAPHIC SCALE



ATTOR
Operator
11.92
Title
Recorder

KNOLL SECTION 2 SECONDARY PLAT

PINE KNOLL SECTION 1
INSTRUMENT NUMBER 9118585
P.C. NUMBER 1 SLIDE 174



PINE KNOLL SECTION I
INSTRUMENT NUMBER 911858
P.C. NUMBER I SLIDE 174

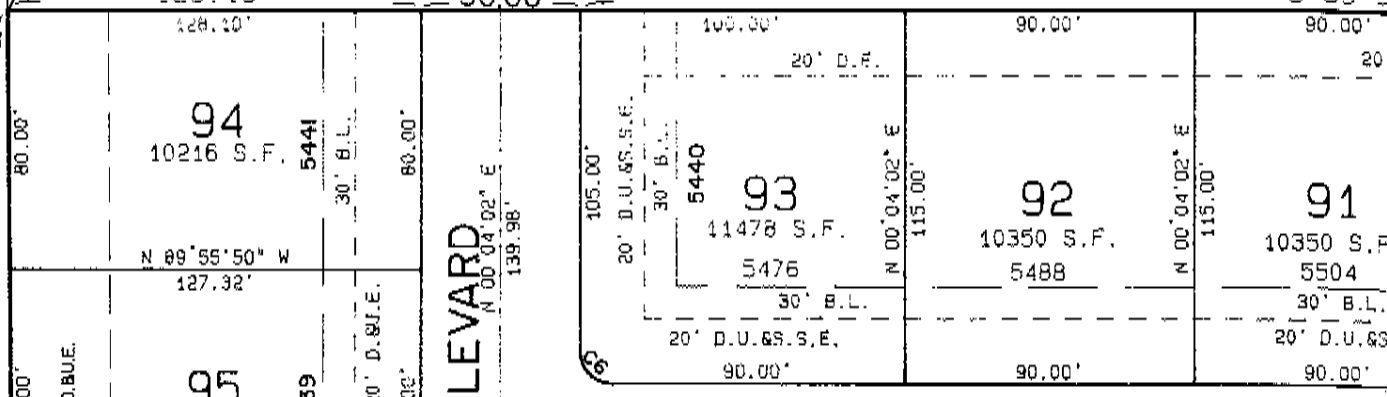
S.W. CORNER
PINE KNOLL SECTION I



S 89°55'50" E
128.10'

S 89°58'08" E
50.00'

S 89°5



KELLY

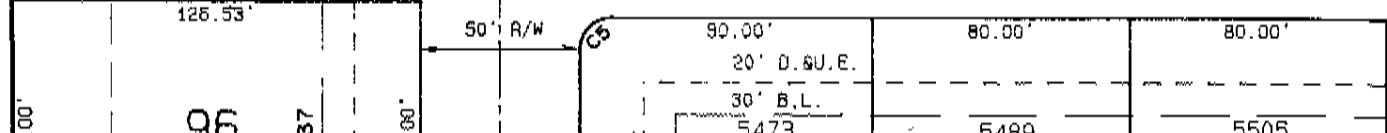
ANNE

N 00°29'41" W 590.00'



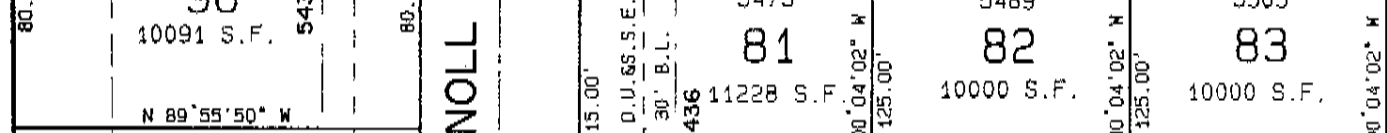
KNOLL

PINE



PINE

HILL



N 89°55'58" W
148.79'

N 89°55'58" W 612.33'

SOUTH LINE S.E. 1/4,
SECTION 16-19-4

Instrument No. 9226830
P.C. No. 1 Slide No. 249

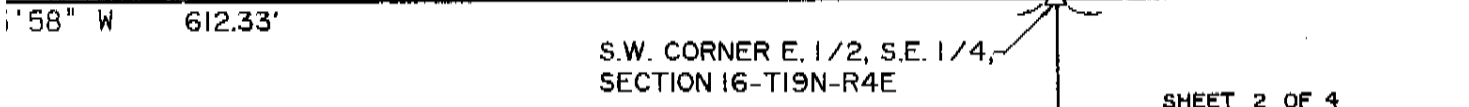
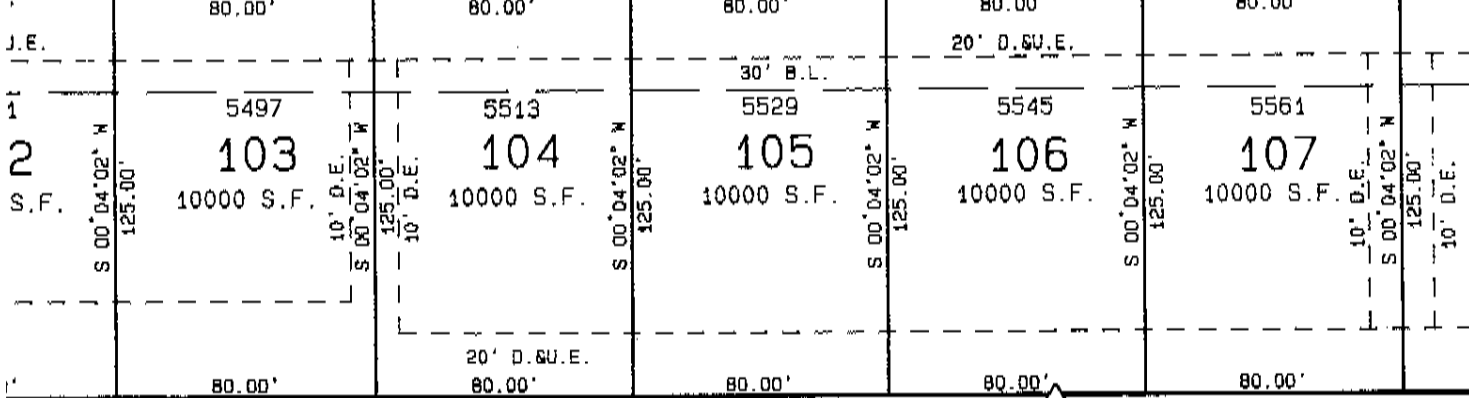
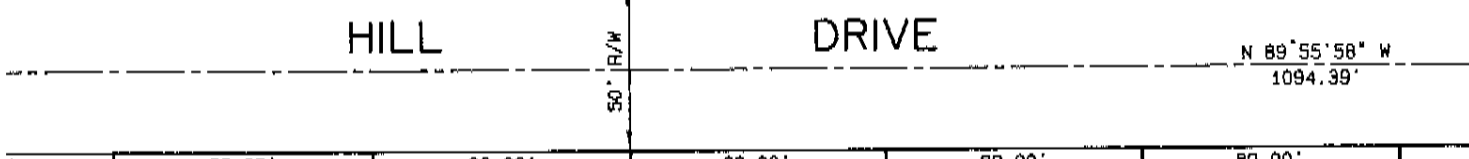
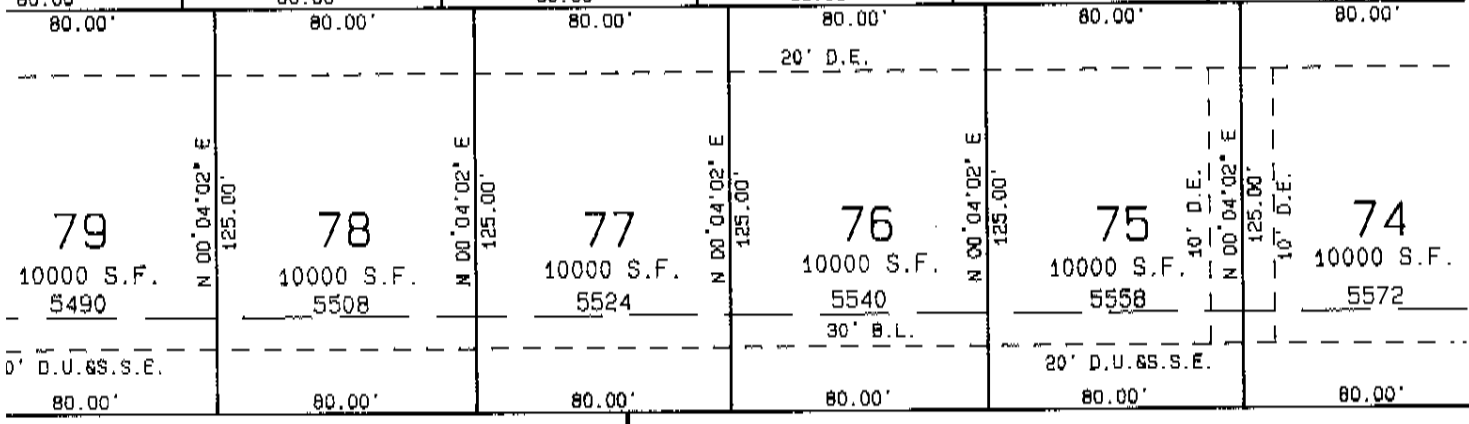
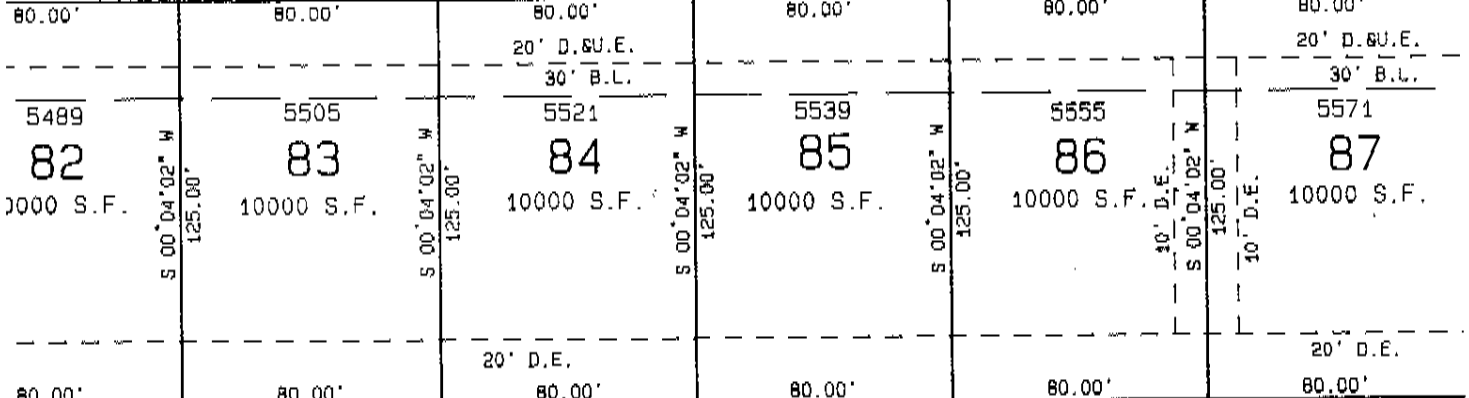
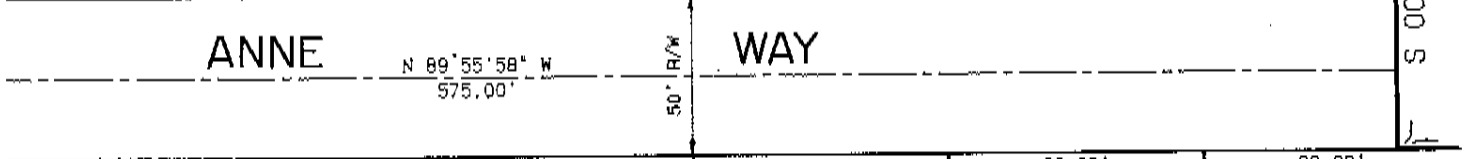
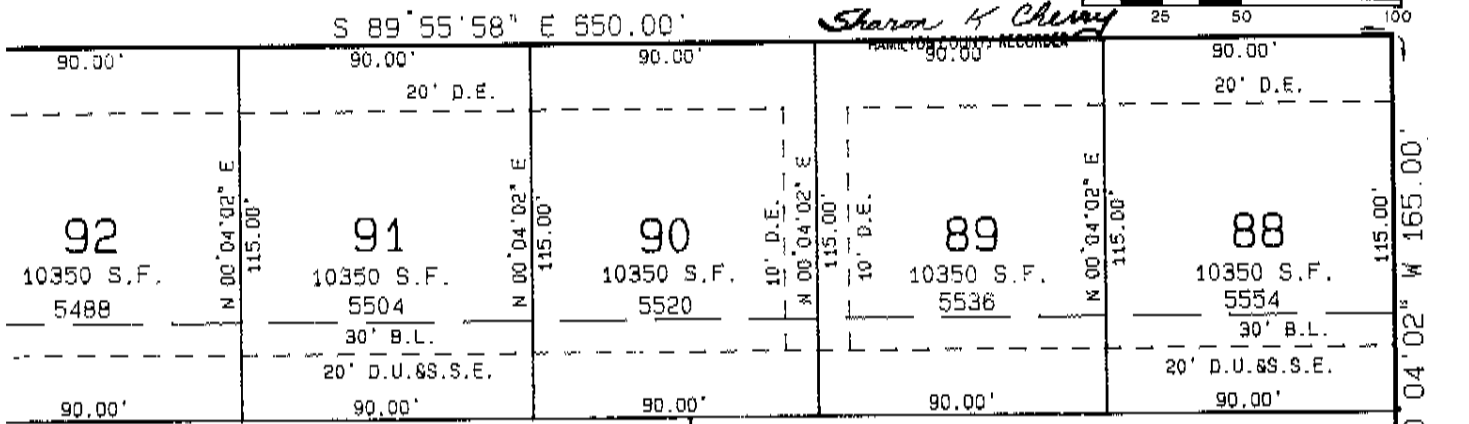
PINE KNOLL SECTION I
INSTRUMENT NUMBER 9118585
P.C. NUMBER 1 SLIDE 174

8:40 am
RECEIVED FOR RECORD

JUL 15 92

GRAPHIC SCALE

Sharon K Cherry
PLATING COUNTY RECORDS



SEE SHEET NO. 1

COVENANTS AND RESTRICTIONS FOR PINE KNOLL SECTION 2

The undersigned, Harry Myers and Judith A. Myers, of Hamilton County, in the State of Indiana, being the owners of record of all the above described tract of land, hereby lay off, plat and subdivide into lots and streets such tracts and do hereby dedicate for public use any of such streets not previously dedicated, in accordance with the within plat. The following restrictions, limitations and covenants are hereby imposed and shall run with the land contained in such plat. *Section II*

The within plat shall be known and designated as Pine Knoll, a subdivision in Hamilton County, State of Indiana.

All lots in this subdivision are reserved for residential use, and no building other than a one-family residence or structure or facility accessory in use 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 Twelve hundred (1200) square feet in the case of a one-story structure, nor less than seven hundred fifty (750) 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 Fifteen hundred (1500) square feet of finished and liveable 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 only, garage or temporary building 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 architecture 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 Architectural Control Committee, 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 any side lot line than 8 feet with a combined aggregate of 16 feet. In addition, when the structure is in excess of one story, for each story over the first, the total side yard shall be increased by 8 feet.

No structure in this subdivision shall exceed 2 1/2 stories or 25 feet in height measured from finish grade to the underside 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 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 has 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 finished ground elevation, by the Architectural Control Committee composed of the undersigned owners of the herein described real estate, or by their duly authorized representatives. 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 location, or to designate a representative with like authority. If the committee 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 committee members nor the designated representatives shall be entitled to any compensation for services performed pursuant to this covenant.

The utility easements shown on the within plat are reserved as easements for use of city or county in which the subdivision is located, owners in this subdivision, and public utility companies including cable TV companies, for the installation, use, maintenance, repair and removal of sewers, water mains, utility poles, wires and other facilities and utilities necessary or incidental to the common welfare and use and occupancy for residential purposes of the houses to be erected in this subdivision. No building or other structure, except walks or driveways, shall be erected or maintained upon, over, under or across any such utility strip for any use except as set forth herein and owners in this subdivision shall take their title to the land contained in such utility strip subject to the perpetual easement herein reserved.

No campers, trailers, boats or similar vehicles shall be parked on any lot in this subdivision unless the same shall be parked in such a manner that it is not visible to the occupants of other lots in this subdivision, the users of any street in this subdivision.

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

The drainage easements shown on the within plat are reserved for the drainage of storm water, whether by swale, ditch, or storm sewer. No structure other than storm water drainage structures, retaining walls, or elevated walks and driveways shall be erected in, on, over, under or across any such easement; except that a drainage easement may also be used as a utility strip, and structures permitted in a utility may be erected therein provided that they do not interfere with the flow of water. Owners in this subdivision shall take their title to the land contained in such drainage easement subject to the perpetual easement herein reserved.

Easement Maintenance: On drainage easements, the City of Noblesville shall be responsible for the care, maintenance, repair and/or replacement of actual structures in place such as sewer pipes, manholes, castings, etc., and each property owner as it pertains to his lot or lots shall maintain surface drainage systems and open swales. The City shall have access rights over and across said easements. 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.

In order to provide for the continued maintenance of certain drainage structures located within the subdivision, there is hereby created the "Pine Knoll Common Property Maintenance Committee". The Committee shall be composed of the undersigned owners of the herein described real estate or by their duly authorized representatives for so long as the undersigned owners retain title to one or more lots within the subdivision. Thereafter, the Committee shall be composed of three (3) persons who are each owners of One (1) or more lots within the subdivision to be elected annually by a majority vote of all of the record owners of lots within the subdivision. Such election shall take place between January 1st and January 15th of each calendar year with the Committee members taking office on February 1st of each year. The Pine Knoll Common Property Maintenance Committee shall make an annual assessment against each lot within the subdivision, the amount of the assessment to be determined by the Committee, for the purpose of creating a fund which may be utilized to finance the repair, replacement and maintenance of any of the common properties or facilities within the subdivision. The undersigned owners hereby retain for the Committee the right to impose a lien against any lot to secure the payment of any and all assessments made. The fund created by this provision shall be solely dedicated to the maintenance, repair or replacement of common properties or improvements within the subdivision and shall be utilized for no other purpose.

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.

It shall be the duty of the owner of each lot in this 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.

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.

It is further understood and agreed that pursuant to IC 36-9-22-1, that as part of the consideration running to the City of Noblesville, the developer herein irrevocably releases its right and the right of its successors in title to remonstrate against pending or future annexation to the City of Noblesville. The right to enforce the within restrictions, limitations and covenants by injunction is hereby dedicated and reserved to owners of lots in this subdivision, their heirs and 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. Such provisions shall be and continue in full force and effect for a period of Twenty (20) years from the date of this plat, and thereafter unless and until by a vote of the then owners of a two-thirds majority of the total lots in this subdivision it is agreed to change the covenants in whole or in part. Invalidity of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

Witness our signatures 14th day of July, 1991.

OWNER/DEVELOPER: MYERS CONSTRUCTION CO., INC.

Harry Myers
Harry Myers, President

Judith A. Myers
Judith Myers

State of Indiana)
)ss
County of Hamilton)

Before me, the undersigned, a notary public in and for said county and state, personally appeared for Myers Construction Co., Inc., Harry Myers, President and Judith Myers who acknowledge 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 14th day of July, 1991.

Wanda S. Beeler
Notary Public

My Commission Expires: 12-19-93
County of Residence: Hamilton

PINEKNOL/COV
(Job # 13000)
09/30/91



Instrument No. 9226830
P.C. No. 1 Slide No. 249
8:40 am
RECEIVED FOR RECORD
JUL 15 92
Sharon [Signature]
HAMILTON COUNTY RECORDER

PINE KNOLL
SECTION 2

I, the undersigned Registered Land Surveyor, hereby certify that the included plat correctly represents a subdivision of a part of the Southeast Quarter of Section 16, Township 19 North, Range 4 East located in Noblesville Township, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of said Southeast Quarter Section; thence North 01 degrees 21 minutes 29 seconds East (assumed bearing) along the East line of said Southeast Quarter Section 225.00 feet to the Southeast corner of Pine Knoll, Section 1, recorded as Instrument #9118585 in P.C. 1, Slide 174 in the Office of the Recorder of Hamilton County, Indiana; thence NORTH 89 degrees 55 minutes 58 seconds WEST on and along the South line of said Pine Knoll, Section 1 also being parallel with the South line of said Quarter Section 683.06 feet to the POINT OF BEGINNING; thence South 01 degrees 21 minutes 29 seconds West parallel with the East line of said Quarter Section 225.01 feet to a point on the South line of said Quarter Section; thence North 89 degrees 55 minutes 58 seconds West on and along the said South line 651.00 feet to the Southwest corner of the East Half of the said Southeast Quarter; thence continuing North 89 degrees 55 minutes 58 seconds West along said South line 612.33 feet; thence North 00 degrees 29 minutes 41 seconds West 590.00 feet to the Southwest corner of said Pine Knoll, Section 1; the following eleven (11) courses being along the Southerly line of said Pine Knoll, Section 1; (1) South 89 degrees 55 minutes 50 seconds East 128.10 feet; (2) South 89 degrees 58 minutes 08 seconds East 50.00 feet; (3) South 89 degrees 55 minutes 58 seconds East parallel with the South line of said Quarter Section 550.00 feet; (4) South 00 degrees 04 minutes 02 seconds West 165.00 feet; (5) South 89 degrees 55 minutes 58 seconds East parallel with said South line 20.00 feet; (6) South 00 degrees 04 minutes 02 seconds West 125.00 feet; (7) South 89 degrees 55 minutes 58 seconds East parallel with said South line of said Quarter Section 170.00 feet; (8) North 50 degrees 33 minutes 36 seconds East 38.93 feet; (9) South 74 degrees 31 minutes 21 seconds East 161.94 feet; (10) South 84 degrees 54 minutes 11 seconds East 171.52 feet; (11) South 01 degrees 21 minutes 29 seconds West parallel with the East line of said Quarter Section 41.73 feet to the place of beginning containing 13.508 acres, more or less, subject to all legal highways, rights-of-way, easements and restrictions of record.

This subdivision consists of 45 lots numbered 69-113 (both inclusive). The size of the lots and widths of the streets are shown in feet and decimal parts thereof.

Witness my signature this 1st day of Jun, 1912.

David J. Stoepelwerth
Registered Land Surveyor
S0474

METES\1300S2
(R) EEF (F) WAB



Instrument No. 9226830
P.C. No. 1 Slide No. 249

8:40 am
RECEIVED FOR RECORD

JUN 15 92

Sharon K. Cherry
HAMILTON COUNTY RECORDER

COMMISSION CERTIFICATE

UNDER AUTHORITY PROVIDED BY ACTS OF 1981 P.L. 309, ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THERETO AND AN ORDINANCE ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NOBLESVILLE, INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE CITY OF NOBLESVILLE AS FOLLOWS:

ADOPTED BY THE CITY PLAN COMMISSION AT A MEETING HELD 6/18/90.

NOBLESVILLE CITY PLAN COMMISSION

Ronald Kincaid
Ronald Kincaid President

Steven R. Huntley
Steven R. Huntley, Secretary

BOARD OF PUBLIC WORKS AND SAFETY'S CERTIFICATE

THIS PLAT WAS GIVEN APPROVAL BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF NOBLESVILLE, INDIANA, AT A MEETING HELD ON THE 13 DAY OF July, 1992.

Mary Sue Rowland
Mary Sue Rowland, Mayor

Marilyn Conner
Marilyn Conner, Clerk-Treasurer

I, STEVEN R. HUNTLEY, DIRECTOR OF PLANNING AND ZONING FOR THE CITY OF NOBLESVILLE, HEREBY CERTIFY THAT THE APPLICATION FOR APPROVAL OF THIS PLAT MEETS ALL OF THE MINIMUM REQUIREMENTS SET FORTH IN THE MASTER PLAN OF NOBLESVILLE, INDIANA, AND SUCH OTHER APPLICABLE REQUIREMENTS CONTAINED IN THE CODE OF ORDINANCES OF THE CITY OF NOBLESVILLE, DECEMBER 11, 1961, AS AMENDED.

Steven R. Huntley
Steven R. Huntley,
Director of Planning and Development

DATE: 7/14/92

This instrument prepared by Douglas D. Church, Attorney at Law

COMCERT/IWP/FORM

LEGEND

70
10000 S.F.
5625

TYPICAL LOT NUMBER
TYPICAL LOT SQUARE FOOTAGE
TYPICAL LOT ADDRESS

- B.L. DENOTES BUILDING SETBACK LINE
- D.E. DENOTES DRAINAGE EASEMENT
- D.&U.E. DENOTES DRAINAGE & UTILITY EASEMENT
- D.U.&S.S.E. DENOTES DRAINAGE, UTILITY & SANITARY SEWER EASEMENT
- DENOTES A "COPPERWELD" 5/8" Dia. STEEL ROD 36" LONG WITH A 1-1/2" Dia. TAPERED BRASS CAP HAVING A CUT "X" IN TOP TO BE SET FLUSH WITH THE STREET.

CURVE DATA

Curve No.	Radius	Delta	Length	Tangent	Chord
1	10.00	091 30'31"	15.97	10.27 N 44 10'43"W	14.33
2	10.00	088 29'35"	15.44	9.74 N 45 49'22"E	13.95
3	10.00	090 00'00"	15.71	10.00 S 45 04'02"W	14.14
4	10.00	090 00'00"	15.71	10.00 S 44 55'58"E	14.14
5	10.00	090 00'00"	15.71	10.00 N 45 04'02"E	14.14
6	10.00	090 00'00"	15.71	10.00 S 44 55'58"E	14.14