

SOMERSET HILLS, SECOND SECTION
RESTRICTIONS

Klepin file
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1. All lots in this subdivision shall be known and described as residential lots.
2. No structure shall be erected, altered, placed or permitted to remain on any residential lot other than one, single-family dwelling, a private garage, and such other out-buildings usual and incidental to the use of such residential lot.
3. No residence, dwelling house, garage, servant's quarters or other structure of any nature, composition, or description shall be constructed or erected on any lot until the building plans including plot plans, specifications, plans for landscaping and any other data or information which may be requested shall be submitted to the building committee for approval, said approval to be evidenced by a written instrument executed by the committee and delivered to the person or persons requesting such approval.
4. The building committee shall consist of three members and shall be composed of the following individuals: Eugene Friedmann, Elizabeth Jane Friedman and Willis Adams. A majority of the said members shall constitute a quorum for approval or disapproval of any plans submitted and the decision of the majority shall control without exception and their decision shall be final. The committee shall determine whether the proposed structures, plans, etc., evidence conformity and harmony of external design with existing structures and whether the building and property set-back lines are in conformity. In the event that the building committee does not indicate in writing its approval or disapproval of plans submitted within a period of 15 days after submission, the committee shall be deemed to have approved such plans. No charge shall be made to any purchaser of any lot for examination of plans or giving approval as provided. In the event of the death, disability, or resignation of any of the above named members, the remaining member or members shall select the successor successors to fill the vacancy or vacancies created.
5. No residence or dwelling shall be constructed on any lot or part thereof unless such residence, exclusive of open porches and attached garages, shall have a ground floor area of 2,000 square feet if a one-story structure or 1,500 square feet if a higher structure, provided also that in case of a building higher than one story there shall be at least 900 square feet in addition to the ground floor area.
6. No trailer, shack, tent, basement, garage, barn or other out-building shall be used at any time as a residence temporary or permanent, nor shall any structure of a temporary character be used as a residence.
7. There are strips of ground of a width shown on this plat and marked "Utility Easement" which are reserved for the public utilities companies for the installation and maintenance of mains, ducts, lines, wires, sewers, and drains subject at all times to the proper authorities and the easement herein reserved. No permanent or other structure shall be erected on any of these strips, and the owners of lots in this subdivision shall take title to the same, subject to the rights of the public utilities companies. Also the owners shall have ingress and egress in, along, across and through the strips so reserved.
8. There are some strips of ground shown on this plat and marked "Drainage Easement" which are reserved for surface drainage purposes subject at all times to the proper authorities. No structure tending to interfere with any such drainage purposes shall be erected upon or over any such strip, and owners of lots upon which such easements are so indicated shall take title to such lots respectively subject to such easements and reservations and the rights of the proper authorities with respect thereto.
9. No residence or dwelling house or structure appurtenant thereto or any structure of any description whatsoever shall be used for the purpose of carrying on a business, trade or profession or any other calling of any nature or description.

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10. Front building set-back lines are established as shown on this plat between which line and the front lot line no building shall be erected, placed, altered, or permitted to remain. No structure or any part thereof shall be built or erected nearer than 20 feet to any side lot line.

11. No fence, wall, hedge, or shrub planting which obstructs sight lines at elevations between 2 and 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 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 10 feet from the intersection of a street line with the edge of a driveway pavement or alley line. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

12. Until such time as a sanitary sewer system is available in this area, no sanitary system shall be installed which does not meet the approval of the Indiana State Board of Health or other municipal authority exercising jurisdiction in the area and each owner shall be required to secure such approval in writing from the proper authority.

13. Invalidation of any one of these restrictions or part thereof by judgment or court order shall not affect or render the remainder of said restrictions invalid or inoperative.

14. Any limitations or restrictions herein contained may be altered or amended if the owners of at least two-thirds of the lots shall agree thereto. Such alterations or amendments shall be evidenced by written instrument signed and acknowledged by the representative owner of owners concurring therein, setting forth the facts sufficient to indicate compliance with this instrument and recorded in the Office of the Recorder of Marion County, Indiana.