

RESTRICTIONS IN PLAT OF PARK GROVE

The following restrictions, limitations and covenants are hereby imposed upon and shall run with the land contained in such plat;

A. The within plat shall be known and designated as Park Grove, an Addition to the City of Beech Grove, Marion County, Indiana.

B. All lots in this Addition are reserved for residential use, and no building other than a one or two family residence or structure or facility accessory in use thereto shall be erected on said above numbered lots.

C. No residential building shall be erected in this Addition which contains less than the following gross ground floor area per living unit;

1. One Story house 800 square feet plus 100 additional square feet for each bedroom in excess of two contained therein.

2. One and one-half or two story house 700 square feet.

D. Not more than one building shall be erected or used for residential purposes on any lot in this Addition.

E. No trailer, tent, shack, shed or temporary building shall be used for temporary or permanent residence on any lot in this Addition, and any garage, tool shed, or detached storage building erected or used accessory to a residence in this Addition shall be of a permanent type of construction and conform to the general architecture and appearance of such residence.

F. No fences shall be erected in this Addition between the building lines and the property lines of the streets as shown on the within plat.

G. There are "building lines" shown on the within plat and no structure other than open one story porch shall be erected between any such building line and the property line of any street.

H. No structure erected in this Addition shall exceed 2 stories or 20 feet in height, measured from the finished grade to the underside of the eave line.

I. No residence or building accessory in use thereto shall be erected in this Addition on any lot closer than 4 feet to either sidelot line at any point and the total side yard width on both sides of the house shall not be less than 20% of the average lot width, nor shall any residence be constructed closer than 25 feet to any rear lot line. When two or more lots in this Addition have a common owner, this restriction shall be inoperative as regards the placement of a residence or accessory building in relationship to lot lines lying between and being common to the several lots contained in such ownership, provided that only one residence is built on such lots. For purposes of interpretation of this restriction, a front lot line is defined as being the narrowest dimension of the lot at the street, the rear lot line as being the line most nearly opposite the front lot line, and all other lot lines are side lot lines.

J. There are "utility Strips" shown on the within plat which are reserved as easements for the use of the City in which this Addition is located, owners in this Addition, and public utility companies for the installation, use, maintenance, repair and removal of sewers, water mains, gas mains, utility poles, wires and other facilities and utilities necessary or incident to the common welfare and the use and occupancy for residential purposes of the houses to be erected in this addition. No building or other structure except walks or driveways shall be

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erected or maintained upon, over, under or across any such utility strip for any use except as set forth herein and owners in this addition shall take title to the land contained in such utility strips subject to the perpetual easement hereby reserved.

K. There are "drainage easements" shown on the within plat which are reserved for the drainage of storm water, whether by swale, ditch or storm sewer. No structures other than storm water drainage structures 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 strip" may be erected therein provided that they do not interfere with the flow of water. Owners in this Addition shall take title to the land contained in such "drainage easements" subject to the perpetual easement herein granted, and by acceptance of title agree to keep and maintain such easement in a condition which will insure its primary function as a means of disposing of storm water. The right to enforce this provision K is hereby dedicated to the public and to the governmental bodies within whose limits the platted real estate is now or shall hereafter be situated, and this right shall be in addition to, and not derogation of, the right of enforcement set out under provision L.

L. The right to enforce the foregoing provisions, restrictions and covenants by injunction is hereby dedicated and reserved to the owners of lots and blocks in this Addition, their heirs 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 and continue in full force and effect for a period of 20 years from the date hereof; and thereafter unless by a vote of the then owners of a 2/3rds majority of the total area of this Addition, it is agreed to change the covenants in whole or in part. Invalidation 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.

M. The restrictions, limitations and covenants herein contained constitute all such restrictions, limitations and covenants imposed upon the land by the undersigned and supercede, replace and void any other such restrictions, limitations and covenants, verbal or written, which may have been proposed or imposed prior to the date hereof by the undersigned or its agents, officers, or representatives.