



*First American
Title Insurance Company*

INDIANA

Not Just for One Transaction, But for Life

First American Title Insurance Company
Indianapolis Downtown—Corporate
251 E. Ohio Street, Suite 200
Indianapolis, IN 46204
Telephone (317) 684-7556

Subdivision Covenants and Restrictions

The information is provided as a public service only. The information on this site is general in nature, unofficial and is not a valid reference for any legal purposes. The user agrees to hold harmless, protect, indemnify, and forever release First American Title Insurance Company and its officers, directors, agents, and employees, from and against any and all liabilities, losses, damage, expenses and charges, including but not limited to attorneys' fees and expenses of litigation, which may be sustained or incurred by the user under, or arising directly or indirectly out of the use of the information contained in this site.

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We, L & R Investments, Inc. by Michael M. Larrabee and Gene Rininger, owner of the real estate shown and described herein, do hereby lay off, plat and subdivide said real estate in accordance with the within plat. 7.

This subdivision shall be known and designated as STINEMYER CROSSING. All streets shown and not heretofore dedicated are hereby dedicated to the public.

Front building setback lines are hereby established as shown on this plat, between which lines and property lines of the streets there shall be erected or maintained no buildings or structures. The strips of ground shown on this plat and marked drainage and utility easement (D. & U.E.) are reserved for the use of the public utilities for the installation of water and sewer mains, poles, ducts, line and wires, drainage facilities. The strips of ground are subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected or maintained on said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities and to the rights of the owners of the other lots in this subdivision. 8

The undersigned does hereby further create, establish and grant unto the Hancock County Drainage Board the drainage easements shown on the accompanying plat and the drainage improvements constructed within, or to be constructed within, said easements, as County Regulated Drainage Easements and as a County Regulated Drainage System and the right to establish a maintenance fund therefor. We hereby waive hearings, notice or hearings, and publications of notice of the decision of the Board.

This subdivision shall be subject to the following restrictions which shall operate as perpetual covenants.

1. Drainage Swales. (Ditches) along dedicated roadways and within the right-of-way, or on dedicated drainage easements, are not to be altered, dug out, filled in, tiled or otherwise changed without the written permission of the Hancock County Drainage Board (Commissioners). Property owner must maintain these swales as sodded grassways or other non-contained on the property long enough so that said drainage swales or ditches will not be damaged by such water. Driveways may be constructed over these swales or ditches only when appropriate sized culverts are installed as set out in 7-52.9 of the Hancock County Subdivision Control Ordinance.
2. Altering Drainage Swales. Any property owner altering, changing or damaging the drainage swales or ditches will be held responsible mail to repair said damage, after which time in no actions taken, the Hancock County Drainage Board (Commissioners) will cause said repairs to be accomplished, and the bill for such repairs will be sent to the affected property owner for immediate payment.
3. Corner Lots. No fence, wall hedge, tree or shrub planting which obstructs sight lines and elevations between 2.5 and 8 feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points 40 feet from the intersection of said street lines (40 feet for minor streets and 75 feet for arterial streets) or in the case of a rounded property corner from the intersection of the street right-of-way lines extended. The same sight line limitations shall apply to any lot within 10 feet of the intersection of a street right-of-way line with the edge of the driveways pavement or alley line. No driveway shall be located within 70 feet of the intersection of two street lines.
4. Drains. No sump pump drains or other drains shall outlet on to the street. No drainage structures shall be located within driveway limits.
5. Right-of-way. No trees shall be planted in the Hancock county right-of-way.
6. Driveways. All driveways and vehicle parking areas shall be hard surfaced with either concrete, asphalt or brick at closing of each home. No gravel or stone driveways will be permitted.

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Janet D. Carter
 HANCOCK COUNTY RECORDS

- Minimum living space areas. The minimum square footage of living space of dwellings constructed on various residential lots in the development, exclusive of porches, terraces, garages, carports, accessory buildings or basements below ground level shall contain no less than 1700 square feet of ground floor living area for a one-story structure or 1200 square feet of minimum ground floor area if higher than one story, provided higher than one story structures shall have a minimum of 2000 square feet of total living area and each dwelling shall have a two or three car attached garage.
8. **Residential Use Only.** All lots in this subdivision shall be used solely for residential purposes except for residences used as model homes during the sale and development of this subdivision. No motor home, trailer, tent, shack, basement or other outbuildings shall be used for temporary or permanent residential purposes on any lot in the subdivision. No dog kennel, above ground swimming pool, junk yard or commercial business of any kind will be permitted in this subdivision.
 9. **Building Location.** No building shall be located on any lot nearer to the front line or nearer to the side street line than the minimum building setback lines shown on the plat. No accessory building shall be located closer to any front or side lot line than the required minimum front and side yard distance for the primary dwelling. No accessory building shall be located closer to any rear lot than 15 feet, but in no case shall it be upon any easement.
 10. **Health Concerns.** All water systems and methods of sewage disposal in this subdivision are to be in compliance with the regulations or procedures by the State Board of Health or other civil authority having jurisdiction.
 11. **Nuisances.** No noxious or offensive trade shall be carried upon any lot in this subdivision nor shall anything be done there on which may become a nuisance or annoyance to the neighborhood. All lots must be kept mowed. All upkeep to the property surrounding the pond will be the responsibility of the homeowners whose lot borders said pond.
 12. **Parking Limitations.** No boat, camper, bus or trailer shall be parked closer to the street than the building setback line. No inoperative or unlicensed vehicle shall be parked on or repaired on any lot in this subdivision or on any street thereof.
 13. **Storage Tanks.** Storage tanks of any kind will not be permitted in the subdivision.
 14. **Fencing.** No fence or wall shall be erected or placed on any lot nearer to any street than the front of the residence. All fencing must be maintained in good condition. Dog kennels will not be allowed.
 15. **Antennas.** Any external TV antenna or satellite dish shall be placed behind the residence.
 16. **Design Requirements.** Each one story and 1 1/2 story residence shall have an exterior constructed of no less than 85% brick or stone. This should be interpreted to mean four sides, with 15% accent siding where needed or desired. Each 2 story residence shall have an exterior constructed of brick or stone on all four sides of the lower level, minimum. All exterior siding shall be horizontal with the exception of the gables on 2 story residence where vertical siding will be allowed. All chimneys must be brick or stone veneer on all side. The roof shall be no less than 6/12 pitch. No vinyl siding, pressed wood (i.e. masonite) or aluminum. All prints must be approved by all developers. Only custom home builders, approved by the developers, will be allowed to build in the subdivision.
 17. **Construction Methods.** No modular or concrete homes will be permitted in this subdivision. No wood foundations will be permitted in this subdivision.
 18. **Outbuildings.** All outbuildings shall be constructed of new material and be similar in appearance with the residence on the lot on which the building is being built. All outbuildings will be approved by the developers prior to construction.
 19. **Pond.** No woody vegetation shall be permitted on the dam of

DULY ENTERED
 FOR TAXATION

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Marilyn W. Counter
 Auditor of Hancock County

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STINEMYER CROSSING COVENANTS

20. Duration of Covenants. The foregoing covenants, conditions and restrictions are to run with the land and shall be binding on all parties and all person claiming under them until January 1, 2013 at which time said covenants and restrictions shall be automatically extended for successive periods of ten (10) years, unless changed in whole or in part by vote of these persons who are then the owners of the majority of the numbered lots in the development.

IN WITNESS WHEREOF, L & R Investments, Inc., an Indiana Partnership, has caused these presents to be signed in its Partnership name by Michael M. Larrabee and Gene Rininger this 14th day of February, 1994.

Michael M. Larrabee Gene Rininger
Michael M. Larrabee Gene Rininger

STATE OF INDIANA)
COUNTY OF HANCOCK)

Subscribed and sworn before me this 14th date of February, 1994.

Donna K. Copeland
NOTARY PUBLIC



Printed Name Donna K. Copeland
My Commission Expires 12-12-95
County of Residence Hancock

SECTION TWO COVENANTS

We, L & R Investments, Inc. by Michael M. Larrabee and Gene Ringer, owner of the real estate shown and described herein, do hereby lay off, plat and subdivide said real estate in accordance with the within plat.

This subdivision shall be known and designated as STINEMYER CROSSING SECTION TWO. All streets shown and not heretofore dedicated are hereby dedicated to the public.

Front building setback lines are hereby established as shown on this plat, between which lines and property lines of the streets there shall be erected or maintained no buildings or structures. The strips of ground shown on this plat and marked drainage and utility easement (D. & U.E.) are reserved for the use of the public utilities for the installation of water and sewer mains, poles, ducts, line and wires, drainage facilities. The strips of ground are subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected or maintained on said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities, and to the rights of the owners of the other lots in this subdivision.

The undersigned does hereby further create, establish and grant unto the Hancock County Drainage Board the drainage easements shown on the accompanying plat and the drainage improvements constructed within, or to be constructed within, said easements, as County Regulated Drainage Easements and as a County Regulated Drainage System and the right to establish a maintenance fund therefor. We hereby waive hearings, notice or hearings, and publications of notice of the decision of the Board.

This subdivision shall be subject to the following restrictions which shall operate as perpetual covenants.

1. **Drainage Swales.** (Ditches) along dedicated roadways and within the right-of-way, or on dedicated drainage easements, are not to be altered, dug out, filled in, tilled or otherwise changed without the written permission of the Hancock County Drainage Board (Commissioners). Property owner must maintain these swales as sodded grassways or other non-contained on the property long enough so that said drainage swales or ditches will not be damaged by such water. Driveways may be constructed over these swales or ditches only when appropriate sized culverts are installed as set out in 7-52.9 of the Hancock County Subdivision Control Ordinance.
2. **Altering Drainage Swales.** Any property owner altering, changing or damaging the drainage swales or ditches will be held responsible for such action and will be given 10 days notice by registered mail to repair said damage, after which time, if no action is taken, the Hancock County Drainage Board (Commissioners) will cause said repairs to be accomplished, and the bill for such repairs will be sent to the affected property owner for immediate payment.
3. **Corner Lots.** No fence, wall hedge, tree or shrub planting which obstructs sight lines and elevations between 2.5 and 8 feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points 40 feet from the intersection of said street lines (40 feet for minor streets and 75 feet for arterial streets) or in the case of a rounded property corner from the intersection of the street right-of-way lines extended. The same sight line limitations shall apply to any lot within 10 feet of the intersection of a street right-of-way line with the edge of the driveways pavement or alley line. No driveway shall be located within 70 feet of the intersection of two street lines.
4. **Drains.** No sump pump drains or other drains shall outlet on to the street. No drainage structures shall be located within driveway limits.
5. **Right-of-way.** No trees shall be planted in the Hancock county right-of-way.
6. **Driveways.** All driveways and vehicle parking areas shall be hard surfaced with either concrete, asphalt or brick at closing of each home. No gravel or stone driveways will be permitted.
7. **Minimum living space areas.** The minimum square footage of living space of dwellings constructed on various residential lots in the Development, exclusive of porches, terraces, garages, carports, accessory buildings or basements below ground level shall contain no less than 1700 square feet of ground floor living area for a one-story structure or 1200 square feet of minimum ground floor area if higher than one story, provided higher than one story structures shall have a minimum of 2000 square feet of total living area and each dwelling shall have a two or three car attached garage.
8. **Residential Use Only.** All lots in this subd used solely for residential purposes except used as model homes during the sale of a subdivision. No motor home, trailer, tent, other outbuildings shall be used for temp residential purposes on any lot in the subd, above ground swimming pool, jun, business of any kind will be permitted in
9. **Building Location.** No building shall be lo nearer to the front line or nearer to the than the minimum building setback lines accessory building shall be located closer side lot line than the required minimum distance for the primary dwelling. No ac shall be located closer to any rear lot th no case shall it encroach upon any easu
10. **Health Concerns.** All water systems and disposal in this subdivision are to be in regulations or procedures by the State Bo other civil authority having jurisdiction.
11. **Nuisances.** No noxious or offensive trade upon any lot in this subdivision nor shall there on which may become a nuisance neighborhood. All lots must be kept mow property surrounding the pond will be the homeowners whose lot borders said p
12. **Parking Limitations.** No boat, camper, bus parked closer to the street than the build No inoperative or unlicensed vehicle shall repaired on any lot in this subdivision or thereof.
13. **Storage Tanks.** Storage tanks of any kind permitted in the subdivision.
14. **Fencing.** No fence or wall shall be erecte lot nearer to any street than the front of fencing must be maintained in good cond will not be allowed.
15. **Antennas.** Any external TV antenna or sat placed behind the residence.
16. **Design Requirements.** Each one story and shall have an exterior constructed of no l or stone. This should be interpreted to n 15% accent siding where needed or desire residence shall have an exterior construct on all four sides of the lower level, minin siding shall be horizontal with the excepti 2 story residence where vertical siding with chimneys must be brick or stone veneer c shall be no less than 6/12 pitch. No vin wood (i.e. masonite) or aluminum. All pr by the developers. Only custom home bu developers, will be allowed to build in the
17. **Construction Methods.** No modular or conc permitted in this subdivision. No wood fo permitted in this subdivision.
18. **Outbuildings.** All outbuildings shall be con materials and be similar in appearance w the lot on which the building is being bu outbuildings will be approved by the devel construction.
19. **Lots 45, 46, 47, 48, 49, 51, 52, 53, 55, 86, 87, 88, 89, 90, 91, 92, 93, 94, and body of water designated on the plat as This pond serves as retention for drainage for surface water in Stinemyer Crossing. (the lots herein mentioned, as respects to their lot abuts, shall have the right to use fishing so long as it is done solely from bank. None of the owners herein shall ha such pond for any other purpose includin wading, boating, any motorized craft, swir within the pond. All lot owners who abut a deed to said lot, assume the responsibi said pond on equal pro rata basis on the that abut the pond.**

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SECTION TWO

COVENANTS

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FOR TAXATION

NOV 01 1995

Marilyn W. Cunter
Auditor of Hancock County

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18. Outbuildings. All outbuildings shall be constructed of new materials and be similar in appearance with the residence on the lot on which the building is being built. All outbuildings will be approved by the developers prior to construction.
19. Lots 45, 46, 47, 48, 49, 51, 52, 53, 55, 56, 57, 58, 59, 60, 86, 87, 88, 89, 90, 91, 92, 93, 94, and 95 abut a separate body of water designated on the plat as "Retention Pond". This pond serves as retention for drainage areas and outlets for surface water in Stinemyer Crossing. Only the owners of the lots herein mentioned, as respects to the pond on which their lot abuts, shall have the right to used the pond for fishing so long as it is done solely from the owner's land bank. None of the owners herein shall have the right to use such pond for any other purpose including, but not limited to, wading, boating, any motorized craft, swimming, or fishing from within the pond. All lot owners who abut this pond, by accepting a deed to said lot, assume the responsibility of maintaining said pond on equal pro rata basis on the total number of lots that abut the pond.

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STINEMYER CROSSING SECTION TWO COVENANTS

DULY ENTERED
FOR TAXATION

NOV 01 1995

Marilyn W. Case
Auditor of Hancock Co.

19. Duration of Covenants. The foregoing covenants, conditions and restrictions are to run with the land and shall be binding on all parties and all person claiming under them until January 1, 2013 at which time said covenants and restrictions shall be automatically extended for successive periods of ten (10) years, unless changed in whole or in part by vote of these persons who are then the owners of the majority of the numbered lots in the development.

IN WITNESS WHEREOF: L & R Investments, Inc., an Indiana Partnership, has caused these presents to be signed in its Partnership name by Michael M. Larrabee and Gene Rininger this _____ day of _____, 1995

Michael M. Larrabee *Gene Rininger*
Michael M. Larrabee Gene Rininger

STATE OF INDIANA)
)SS:
COUNTY OF HANCOCK)

Subscribed and sworn before me this 23 date of October 1995

HAROLD GIBSON
NOTARY PUBLIC

Printed Name HAROLD GIBSON
My Commission Expires 11-11-95
County of Residence HANCOCK

