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.
BRIER CREEK ESTATES
SECTION FOUR
BEING A SUBDIVISION OF THE N.W. 1/4 OF SECTION 12, TOWNSHIP IS NORTH, RANGE 5 EAST, 2ND RM.
HANCOCK COUNTY
INDIANA

DECEMBER, 1977

INDIANA SURVEYING COMPANY, INC.

RICHARD A. DREAMER, P.L.S., PRESIDENT
GREENFIELD, INDIANA
PH. 462-7046

DEDICATION AND PLAT RESTRICTIONS:

1. That the express purpose of this plat is to subdivide the above property into lots in order to create more suitable sites for development.
2. That the official zoning regulations now in effect or as the same may be amended, from time to time, changed or amended applicable to the area within which the subdivision is located shall be observed.
3. That the streets, together with all existing and future planting, trees and shrubbery thereon, as shown on the attached plat are hereby dedicated to the perpetual use of the public for proper uses, reserving to the dedicatory parties, their successors or assigns, the reversion or reversions thereof, whenever discontinued by law.
4. That the streets be dedicated to the use of all manner of vehicles and all utilities are hereby dedicated to the installation and maintenance of all utilities, including water, sewer, gas, electric, telephone, cable, and all other utilities or services that may, in the future be determined to be required by the local authorities.
5. That all buildings be erected, altered, placed or permitted to remain on any lot other than one detached single family dwelling not to exceed two and one half stories in height and a private attached garage for not more than three cars.
6. That no lot building setback lines be established as shown on this plat, between which lines and the property lines of the street, there shall be erected or maintained any building or structures.
7. That no building shall be located on any lot nearer to the front property line or nearer to the side street lines than the minimum building setback lines shown on the plat.
8. That no dwelling unit shall have a ground floor area of less than 1400 square feet, exclusive of open porches, attached garages and other accessory structures in the case of a one story dwelling unit or less than 1600 square feet for a dwelling unit of more than one story in height.
9. That no structures of a temporary character, trailer, basement, deck, shed, garage, or other outbuilding shall be used on any lot as a residence, other temporary or permanently. All outbuildings must be constructed of materials equivalent to those used in the residential structure.
10. That no nuisances or offensive activity shall be created upon any lot, nor shall anything be done thereof which may become an annoyance or nuisance to the neighborhood. No unoccupied or uninhabited vehicle shall be parked on or repaired on any lot in this subdivision or on any lot thereof. No boat, trailer, camper or mobile home shall be parked within twenty-five (25) feet of the front property line of any lot. No garage or basement shall be built for living quarters or no unfinished dwelling shall be permitted.
11. That no sign of any kind shall be displayed on any lot except one professional sign of not more than one square foot; one sign of not more than five square feet advertising the property for sale or rent; or a sign of any dimensions used by the builder or developer to advertise the property during construction and sales period.
12. That no animals, livestock or poultry of any kind shall be raised, bred or kept on any lot except one domestic bird or other household pets and one cow, provided that they are not kept...
13. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste materials shall be kept in sanitary containers. All incinerators or other equipment for the storage or disposal of such waste material shall be kept in a clean and sanitary condition.

14. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between two (2) and six (6) feet above the roadways 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 them at points twenty-five (25) feet from the intersection of the street lines; or in the case of rounded corners, from the intersection of the street property line extended. The same sight line limitations shall apply to any lot within ten (10) feet from the intersection of a street property line within the edge of a driveway. No trees shall be permitted within such distances of such sight lines.

15. From the date of commencement of construction (date building permit is issued) of any dwelling unit on any lot in this subdivision, said dwelling unit shall be completed within one year.

16. The exterior construction of all homes in this subdivision shall consist of at least fifty (50) per cent brick or masonry.

IN WITNESS WHEREOF: FRED T. HORSLEY has caused these presents to be signed this 20th day of DECEMBER, 1977.

FRED T. HORSLEY

STATE OF INDIANA

COUNTY OF HANCOCK

I HEREBY CERTIFY: That on this day personally appeared before me, FRED T. HORSLEY, to me well known to be the person described in and who executed the foregoing instrument and who acknowledged that he executed the same freely and voluntarily for the uses and purposes therein expressed.

WITNESS: My signature and Official Seal this 20th day of DECEMBER, 1977

[Seal]

NOTARY PUBLIC OF INDIANA

HANCOCK COUNTY PLAN COMMISSION:

This is to certify that this plat has been approved by the Hancock County Plan Commission this 15th day of DECEMBER, 1977, under the authority provided by Chapter 174, Acts of 1947, of the General Assembly, State of Indiana and all acts amendatory thereto.

[Signatures]

HANCOCK COUNTY COMMISSIONERS:

This is to certify that this plat has been approved and accepted for record by the Hancock County Board of Commissioners, by resolution adopted by said Commissioners, this 22nd day of MAY, 1978, under authority provided by Chapter 47, Acts of 1951, of the General Assembly, State of Indiana, and in accepting this plat all previous plats of said lands are hereby cancelled and superseded.

[Signatures]

COUNTY RECORDER:

This instrument filed this ______ day of ______, 1978, and recorded in Plat Book ______ at Pages ________ and as Instrument Number ________ in the Office of the Recorder of Hancock County, Indiana.

[Signature]