Subdivision Covenants and Restrictions

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PLAT FOR BRIXTON RIDGE

Plat for Brixton Ridge

14, Township 17 North, Range 5 East in Hancock County, Indiana

DGE

D Future owners of restrictions, and
latted real estate

For single family

the home of the

Essential dwelling

The dwelling and

Porch and garages

Garages attached to

Any permit from the

Yard from the beginning

Etc. material from an

CD shall be placed

Terrain vehicles

in a garage and

If doors of garbage

that the accumulation

Installation is completed

During the time of

Uses, breed or keep

In household pets

N cd in inches diameter,

Radial or other signals on the interior of a

2 separate or in

reserved for the

1 and governmental

No courses for area

Ground adjacent to

It shall be the

ID not obstruct the

Public or private

Not including

Sip, mains, ducts

Use of prohibiting

Construction and

Utilization on the side of lot 3 to the

In order to maintain

Cross of the lot

Area for lots 4, 5

Is and underbrush may

10 feet high and

20 inch spacing in fence.

Set back line

Between posts shall be

End of the property line

Twelve posts shall be

Areas provided on the

DT conflict with all

The right line limitations shall apply to any lot within 10 feet of the intersection of a street or alley line with the existing driveways or other streets. No driveway shall be located within 75 feet of the intersection of two street lines. No driveway structures shall be located within driveway limits.

C. No sump pumps or other drains shall be put onto the street.

D. No trees shall be planted in the Hancock County right-of-way.

E. 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, or otherwise changed without the written permission of the Hancock County Drainage Board (Commissioners). Property owners shall maintain these swales, as spaced drainage, or other non-erodable surfaces. Water from roofs or parking areas must be contained on the property long enough so that said drainage swales or ditches will not be damaged by such water. Drainage may be constructed over these swales or ditches only when appropriate sized culverts are installed as set out in section 7.2 of the Hancock County Subdivision Control Ordinance.

F. Any property owner altering, changing, or damaging these drainage swales or ditches will be held responsible for such action and will be given ten (10) days notice by registered mail to repair said damage, after which time, if not repaired, 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.

G. These covenants are to run with and shall be binding on the land and shall remain in effect for a period of twenty (20) years after the date that this plat is recorded, after which time they shall automatically be extended for successive terms of ten (10) years unless such extensions are disapproved by the majority of the lot owners.

H. The rights of enforcement of the foregoing restrictions by all lawful means including, but not limited to, the right to cause removal by due process of law of structures erected or maintained in violation thereof, is reserved to the owners of the lots in this subdivision. Their heirs, successors, and assigns, who are entitled to such relief without being required to show any damage of any kind.

Deed of dedication

The undersigned, the Levi Group, Inc. represented by its corporate President, Richard A. Levis, as contract purchaser and owner of the real estate shown and described herein, do hereby lay off plat, and subdivide said real estate in accordance with the herein plat. In addition, the foregoing covenants, restrictions, and limitations, are hereby imposed and shall run with the platted real estate described herein.

This subdivision shall be known and designated as Brixton Ridge - All streets and alleys and public open spaces shown and not therefore dedicated to the public. The apparent right-of-way of the existing roadway is 16.5 feet. The dedicated right-of-way of this major subdivision consists of 124.44 acres. The dedications shown on this plat are hereby approved and accepted by the rights of the owners of other lots in this subdivision.

In Witness Whereof, Richard A. Levis, President of the Levi Group, Inc. have hereunto caused their names to be subscribed this 24th day of January, 1997.

Richard A. Levis
President
The Levi Group, Inc.

COUNTY OF HANCOCK
STATE OF INDIANA

SUBSCRIBED TO BEFORE ME THIS 24TH DAY OF January, 1997

[Signature]

Notary Public

[Seal]

My commission expires 12/31/2003

[Seal]

Residence of [Seal]

[Seal]

ACCEPTANCE OF DEDICATION

BE IT RESOLVED by the Board of County Commissioners, Hancock County, Indiana, that the dedications shown on this plat are hereby approved and accepted this 24TH DAY OF January, 1997.

[Signature]

County Commissioners for Hancock County
SECONDARY PLAT FOR BREIXTO

Part of the Northwest Quarter of Section 14, Township 17 North, Range 5 East in

RESTRICTIVE COVENANTS FOR BREIXTO RIDGE

IN ORDER TO PROVIDE ADEQUATE PROTECTION TO ALL PRESENT AND FUTURE OWNERS OF LANDS SUBJECT TO THE SUBDIVISION, THE FOLLOWING COVENANTS, CONDITIONS, AND LIMITATIONS ARE HEREBY IMPOSED UPON AND SHALL RUN WITH THE PLATTED REAL ESTATE DESCRIBED HERIN:

1. ALL LOTS IN THIS SUBDIVISION SHALL BE USED SOLELY FOR SINGLE FAMILY RESIDENTIAL PURPOSES EXCEPT FOR PERMITTED HOME OCCUPATIONS ALLOWED UNDER APPLICABLE ZONING LAWS.

2. THE MINIMUM SQUARE FOOTAGE OF LIVING SPACE OF A RESIDENTIAL DWELLING CONSTRUCTED ON MOST LOTS SHALL BE 2000 SQUARE FEET, AND 2400 SQUARE FEET FOR A TWO STORY DWELLING EXCLUDING OPEN PORCHES, GARAGES AND BALCONIES.

3. ALL RESIDENTIAL DWELLINGS SHALL HAVE AT LEAST A TWO CAR GARAGE ATTACHED TO THE PRIMARY RESIDENTIAL DWELLING.

4. EVERY DWELLING SHALL BE COMPLETE AND RECEIVED AN OCCUPANCY PERMIT FROM THE APPROPRIATE GOVERNMENTAL AGENCY WITHIN A TWELVE MONTH PERIOD FROM THE BEGINNING OF CONSTRUCTION OF SAID DWELLING.

5. ALL DRIVEWAYS SHALL BE A HARD SURFACE ASPHALT OR CONCRETE MATERIAL FROM AN EXISTING DEDEDICATED STREET TO THE RESIDENTIAL DWELLING'S ATTACHED GARAGE.

6. NO TEMPORARY HOUSE, TRAILER, GARAGE, OR OTHER OUT BUILDING SHALL BE PLACED, ERECTED OR KEPT ON ANY LOT.

7. NO MOTOR VEHICLES, BOATS, TRAILERS, MOTORCYCLES, TERRAIN VEHICLES, SNOWMOBILES OR CAMPER CAMERAS SHALL BE PARKED ON ANY LOT UNLESS PARKED IN A GARAGE AND KEPT COMPLETELY OFF OF THE STREET.

8. NO OWNER OF A LOT SHALL BURN OR PERMIT THE BURNING OUT-OF-DOORS OF CULVERTS OR OTHER SUCCINCT MANNER OF GROWTH OR REFUSE, NOR SHALL ANY SUCH OWNER ACCUMULATE OR PERMIT THE ACCUMULATION OUT-OF-DOORS OF SUCH GROWTH OR REFUSE ON HIS LOT EXCEPT AT THE TIMES THE REFUSE COLLECTIONS ARE BEING MADE.

9. EVERY TANK FOR THE STORAGE OF FUEL OR OTHER MATERIALS THAT IS INSTALLED OUTSIDE ANY BUILDING SHALL BE SITUEATED BENEATH THE SURFACE OF THE GROUND.

10. NO OUTSIDE TOILETS SHALL BE PERMITTED ON ANY LOT EXCEPT DURING THE CONSTRUCTION OF THE RESIDENTIAL DWELLING.

11. NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY LOT, EXCEPT THAT DOGS, CATS, OR OTHER USUAL AND COMMON HOUSEHOLD PETS MAY BE PERMITTED ON A LOT.

12. NO ANTENNAS, SATELLITE DISHES LARGER THAN EIGHTEEN (18) INCHES DIAMETER OR OTHER APPARATUS FOR THE TRANSMISSION OF THE TELEVISION BAND OR OTHER SIGNALS SHALL BE PERMITTED ON ANY LOT UNLESS ENTIRELY CONTAINED WITHIN THE INTERIOR OF A BUILDING.

13. ALL LOTS ARE SUBJECT TO THE FOLLOWING EASEMENTS EITHER SEPARATELY OR IN COMBINATION, AS SHOWN ON THE HEREIN PLAT, WHICH EASEMENTS ARE RESERVED FOR THE USE OF THE LOT OWNERS, PUBLIC OR PRIVATE UTILITY COMPANIES AND GOVERNMENTAL AGENCIES:

A. DRAINAGE EASEMENT (O.D.) ARE CREATED TO PROVIDE PATHS AND COURSES FOR AREA AND LOCAL, STORM DRAINAGE EITHER OVERLAND OR IN ADJACENT UNDERGROUND CONDUIT, TO SERVE THE NEEDS OF THE SUBDIVISION AND ADJACENT GROUND. IT SHALL BE THE RESPONSIBILITY OF THE LOT OWNERS TO MAINTAIN AND NOT OBSTRUCT THE DRAINAGE AS PROVIDED ON EACH INDIVIDUAL LOT.

B. UTILITY EASEMENTS (O.D.) ARE CREATED FOR THE USE OF PUBLIC OR PRIVATE UTILITY COMPANIES AND CABLE TELEVISION COMPANIES, NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLATION OF Poles, Pipes, Mains, Ducts and Cables or other related utility structures.

C. NON ACCESS EASEMENTS (O.D.) ARE CREATED FOR THE PURPOSE OF PROHIBITING DRIVEWAY ACCESS FROM A DESIGNATED STREET TO THE LOT.


THE REAL ESTATE HEREBIN SUBDIVIDED IS VERY WOODED AND IN ORDER TO MAINTAIN THE NATURAL ENVIRONMENT AS MUCH AS POSSIBLE, TWENTY PERCENT (20%) OF THE LOT AREA FOR LOTS 1, 2 AND 3 AND FORTY PERCENT (40%) OF THE LOT AREA FOR LOTS 4, 5 AND 6 SHALL REMAIN IN A NATURAL STATE, EXCEPT THAT DEAD TREES AND UPROOTED MAY BE REMOVED FROM ANY PORTION OF THE LOT.

FENCES SHALL BE ALLOWED PER THE FOLLOWING SPECIFICATIONS:

A. ALL PERIMETER FENCES SHALL BE A MAXIMUM OF SIX (6) FEET HIGH AND CONSTRUCTED OF WOOD HIGH ENOUGH TO FENCE WITH A SIX (6) TO TWELVE (12) INCH SPACING OF POSTS OR MATERIALS SIMILAR IN APPEARANCE TO A WOODEN WOOD FENCE.

B. NO FENCE SHALL BE ALLOWED IN FRONT OF THE BUILDING SET BACK LINE.

C. A FOUR (4) FOOT HIGH WOOD FENCE VERTICALLY CURVED BETWEEN POSTS SHALL BE ALLOWED NO CLOSER THAN TWENTY FIVE (25) FEET OF THE PERIMETER OF THE PROPERTY LINE.

D. A SIX FOOT (6) HIGH WOOD FENCE VERTICALLY CURVED BETWEEN POSTS SHALL BE ALLOWED FOR ALL GARDEN AREAS, PATIOS, ETC. EXCEPT COVAINENTS, RESTRICTIONS, AND OUTSIDE AREAS.

E. OUTBUILDINGS SHALL NOT BE ALLOWED UNLESS PERMITTED BY A FENCE PER SPECIFICATIONS OUTLINED IN PARAGRAPH 15 ABOVE.

15. RESTRICTIONS PER THE HANCOCK COUNTY AREA SUBDIVISION CONTROL ORDINANCE

A. NO FENCE, WALL, VINE, TREE, OR SHRUB PLANTING WHICH OBSTRUCTS THE SITE OF THE INTERSECTION OF THE PAVEMENT OR ALLEY LINE, A INTERSECTION OF TWO STREET IN WHICH DRIVEWAYS MEET.

B. THE SIGHT LINE OF THE INTERSECTION OF THE PAVEMENT OR ALLEY LINE, A INTERSECTION OF TWO STREET IN WHICH DRIVEWAYS MEET IS 90 DEGREES.

C. NO SWIMMING POOL.

D. NO TREES SHALL BE PLANTED OR LOCATED SO AS TO OBSTRUCT THE PAVEMENT OR ALLEY LINE, A INTERSECTION OF TWO STREET IN WHICH DRIVEWAYS MEET.

E. DRAINAGE SHALL BE RIGHT-OF-WAY, OR DEDICATED, TITLE TO, OR OTHERWISE EASEMENTS PROVIDED AS SIDES OF ROOF'S OR PARKING AREAS. THIS EASEMENTS IS AS SIDED TO THE RIGHTS OF THE OWNERS OF THE PROPERTY WHO DIRECTLY ADJOIN THE LOT.

F. ANY PROPERTY IMPROVEMENTS SHALL BE SUBJECT TO NO LESS THAN (60) DAYS NOTICE BY REGISTRATION NO ACTION TAKEN IS ALLOWED ONCE THE PROPERTY OWNER NOTIFIES THE AFFECTED PROPERTY OWNER OR OWNERS THAT THE IMPROVEMENTS ARE TO BE COMPLETED.

G. THESE Covenants ARE TO BE ENFORCED BY THE MAJORITY OF THE LOT OWNERS AND THE RIGHT OF ENFORCEMENT EXISTING, BUT NOT LIMITED TO, STRUCTURES ERECTED ON OWNERS' LOTS IN THE EASEMENTS ARE ENTITLED TO SUCH REPAIR.

THE UNDERDINES, THE LEVI WITHIN A LEVEL, AS CONTRACT DESCRIBED HERIN, TO HEREBY ACCORDING TO THE HERETOFORTH, RESTRICTIONS, AND LIMITED PERMITS OF THE USE OF THE LAND IN THE FUTURE.

THE SUBDIVISION SHALL BE VACATED ALLEYS AND PUBLIC OPEN SPACE.

FUTURE BOUNDARY SETBACK LINE BETWEEN WHICH LINES THE PRIVATELY MAINTAINED NO BOUNDARY LINES AND PUBLIC UTILITY FACILITIES SUBJECT AT ALL TIMES HEREIN RESERVED.

THE RIGHTS OF THE OWNERS OF THE PROPERTY IS VESTED IN OTHERS WHO ARE HERETOFORTH CHASING THEIR RIGHTS.

RICHARD A. C. LEVIN, PRESIDENT THE LEVIN GROUP, INC.
COUNTY OF HANCOCK SS
STATE OF MICHIGAN
SUBSCRIBED TO BEFORE ME

[Signature]
NOTARY PUBLIC

BE IT RESOLVED BY THE BOARD OF
THAT THE EASEMENTS SHOWN OF

[Signature]
BOARD OF C

APPROVED BY THE HANCOCK COUNTY SUBDIVISION CONTROL BOARD.