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

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DEDICATION OF COLONY SQUARE SECTION 1

Colony Woods, an Indiana Limited partnership, owner of the real estate described in the plat "Colony Square Section 1", by Willard B. Jennings, General Partner, certifies that it has laid off, platted, subdivided, and does lay off, plat, and subdivide said real estate in accordance with the foregoing plat of "Colony Square Section 1" in a manner to be known and designated as Colony Square Section 1, located in the Town of Indianapolis, Boone County, Indiana. All streets and thoroughfares dedicated are hereby dedicated to the public, which shall include the street lighting.

In Witness whereof, Colony Woods, and Indiana Limited Partnership, has hereto set its hand, the above date of November 20, 1987.

Nancy Rumschlag
Commissioner

STATE OF INDIANA)
COUNTY OF MARION)

BEFORE ME, the undersigned Rotary Public, in and for the County and State, personally appeared Colony Woods, by William F. Jennings, subscribing as its and their voluntary act and seal for the uses and purposes therein expressed.

Rotary Public: Nancy Rumschlag

By: Nancy Rumschlag

Protective Covenants for Colony Square Section 1

1. BUILDING CONTROL: No building shall be erected, altered, placed or permitted to remain on any lot other than one single family dwelling. No three and one-half story structures shall be erected, placed or permitted to remain on any lot other than one single story dwelling. A private attached garage of not more than one car capacity shall be permitted on the lot in the rear of the building. The foundation of said building shall be set back at not less than six (6) feet and the minimum rear yard setback line shall be thirty (30) feet.

2. LAND USE AND BUILDING TYPE: No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one single family dwelling. No three and one-half story structures shall be erected, placed or permitted to remain on the lot in the rear of the building. The foundation of said building shall be set back at not less than six (6) feet and the minimum rear yard setback line shall be thirty (30) feet.

3. UTILITY AND DRAINAGE EASEMENTS: "Utility Easements" as shown on the plat shall be reserved for the use of public utilities for the installation and maintenance of water, sewer, gas, telephone and/or electric or telegraph poles, ducts, conduits, pipes, wires, etc., for any purpose, over, under and to said easement for local water, sewer, gas, telephone and/or electric or telegraph poles, ducts, conduits, pipes, wires, etc., to be maintained by any owner so that water from any adjacent lot shall have adequate drainage along such easements and it cannot be blocked to prevent the flow of natural drainage. Any and all said easements shall be seven (7) feet in width. Such "Utility Easements" shall be used by the owner of the lot adjacent for the purpose of drainage and will be used by the City of Indianapolis for the purpose of drainage. Any and all said easements shall be maintained by the owner of the lot adjacent at the owner’s expense.

4. ARCHITECTURAL CONTROL: No building, outbuilding or other structure shall be erected, placed or permitted to remain on any lot until construction plans and specifications and a complete plot plan are approved. All buildings and structures, exterior and interior, including windows, doors, porches, patios, decks, balconies, roof plans, etc., must be approved prior to any construction. All buildings and structures shall be subject to the Architectural Standards of the Architectural Committee.

5. ARCHITECTURAL CONTROL: All buildings, outbuildings or other structures shall be subject to the Architectural Standards of the Architectural Committee. All buildings and structures, exterior and interior, including windows, doors, patios, decks, balconies, roof plans, etc., must be approved prior to any construction. All buildings and structures shall be subject to the Architectural Standards of the Architectural Committee.

6. STORAGE YARD: All storage yards shall be completely concealed.

7. YARD LINES: All yards shall be measured as from the front line of building to the property line of the lot.

8. DRIVEWAYS: All drive access shall not extend beyond the property line of the lot.

9. WATER CONSERVATION: All water lines shall be properly installed and buried to protect the underground lines from damage.

10. SIGNS: No sign or any outdoor advertising of any nature shall be erected on any lot except for one advertising the property for sale.

11. ANIMALS OR POULTRY: No animal or poultry of any kind shall be kept on any lot except for pet dogs which must be kept within the premises and constitute a nuisance.

12. BUILDING LOCATION: No building or structure shall be erected, placed or permitted to remain on any lot other than the lot where said building or structure is to be erected, placed or permitted to remain. Any building or structure erected, placed or permitted to remain on any lot other than the lot where said building or structure is to be erected, placed or permitted to remain shall be removed at the expense of the owner of the lot where said building or structure is to be erected, placed or permitted to remain.

13. DRIVEWAYS: All drive access shall not extend beyond the property line of the lot.

14. DRIVEWAYS: All drive access shall not extend beyond the property line of the lot.

15. DRIVEWAYS: All drive access shall not extend beyond the property line of the lot.

16. DRIVEWAYS: All drive access shall not extend beyond the property line of the lot.

17. DRIVEWAYS: All drive access shall not extend beyond the property line of the lot.

18. DRIVEWAYS: All drive access shall not extend beyond the property line of the lot.

19. DRIVEWAYS: All drive access shall not extend beyond the property line of the lot.

20. DRIVEWAYS: All drive access shall not extend beyond the property line of the lot.
5. ARCHITECTURAL COMMITTEE - The Architectural Committee shall be composed of William P. Hanley and Chris Howard as representatives of the architect and the member of the Architectural Committee and its representatives shall be appointed to meet and to perform all duties of the Architectural Committee as required by the Declaration of Covenants and Restrictions. In the event of a resignation or the termination of any member of said Committee, the remaining members shall elect another member to fill the vacancy. The Architectural Committee shall consist of two members and any other representative of the City of Inevitable, except when the Committee shall meet to discuss any matter submitted to it for its approval. The Committee shall be established upon the date of the adoption of the Declaration of Covenants and Restrictions. The Committee shall have full power and authority to act upon any matter submitted to it for its approval.

6. GENERAL PROVISIONS - These covenants and restrictions are to run with the land and shall be binding upon all persons who may hereinafter own, occupy or have title to the land. Any person who shall use or occupy any part of the land shall be bound by, and shall be subject to, the provisions contained in these covenants and restrictions. These covenants are hereby granted to the owners of the lots to the City of Inevitable and the City of Inevitable, its successors or assigns.

7. ALTERATIONS - No conveyance or extensive activity shall be carried on upon any lot nor shall any building be done which may become an annoyance or nuisance.

8. STRUCTURAL REQUIREMENTS - No building shall be used on any lot located at least 40 feet from any other building. A structure used for any purposes, whether temporary or permanent, and the use of the building for any purpose other than the use for which it was designed, shall be allowed to remain during the building period. No improvement or addition to any building shall be made without the written consent of the Architectural Committee.

9. EXISTING CONSTRUCTION - All existing buildings, structures, fences, walls, etc. shall be maintained in a neat, trim and in good repair.

10. SIGNS - No sign of any kind shall be displayed to the public view of any lot except one professional sign not more than two feet square, one sign of not more than two square feet advertising the property for sale or rent and one sign used by a builder or his authorized agent to advertise the property during the construction and sale period.

11. ANIMALS OR POULTRY - No animals, livestock, or poultry of any kind shall be housed, bred or kept on any lot except that family pets which may be kept and maintained for purposes of companionship or for their own use.

12. BUILDING LOCATION - No building shall be located on any lot and the rear yard line of the side street line, the side yard on the front line of the building line and the front line of the setback line of the property line. For purposes of this part of the building, any building, including a residential building, shall be considered to extend to the property line and no building shall be constructed to permit any portion of a building on a lot to extend beyond the property line.

13. SIDE LINE LIMITATIONS - On each side of the main street, there shall be an area of 15 feet between the street and the building line. This area shall not be used for any purpose except to provide a buffer between the street and the building line.

14. FENCES AND SCREENS - Fences, walls, or other structures shall be erected only in accordance with the provisions of this section, and no fence, wall or other structure shall be erected which will obstruct a view or be a nuisance to any person.

15. STORAGE TANKS - Oil or gas storage tanks shall be located on the outside of the building line and shall not be located within the house or garage area so that they are completely concealed from view.

16. YARD LIMITATIONS - A setback of at least 15 feet shall be maintained on all lots in order to accommodate the building line.

17. MAINTENANCE - Any violation of the covenants and restrictions shall result in a fine to be assessed and collected by the Architectural Committee and shall be based on the number of violations.


[Signature]
President


[Signature]
Secretary
INDICTS REVISION FOR AMENDED PLAT

CROSS REFERENCE PLAT BOOK 6 PAGE 94-95

18. LANDSCAPE PLAN - Each lot owner shall present a landscape plan to the Architectural Committee for their approval.

19. CARPORT REQUIREMENTS - Any residence which has a carport that faces a street shall have automatic garage equipment to open and close the garage door.

20. LOT MEASUREMENT - Each lot owner shall be assessed annually for the use of the community roads, streets, street lights, bike paths, plantings and maintenance and care of the area.

21. PRIVATE DRIVEWAYS - All private drives shall be paved.

22. GENERAL PROVISIONS - All streets, alleys, and sidewalks shall be designed and constructed to maintain the entrance, landscaping, street signs, bike paths, plantings and sidewalk and safety of the area.

23. CROSS CONNECTION - No cross connection shall be made from any system to any natural drainage system, or any other water system except for the purpose of rescuing property from flooding or erosion.

24. FURTHER, a portion of lots 15 and 16 shall be specifically intended for a drainage retention area and will be surrounded by the owners of those lots shall be not prohibited from any water modifying or changing the drainage retention area delineated on their property.

25. All properties in the previously designated lots shall be not prohibited from any water modifying, changing or constructing the intended function of the drainage retention area.

APPROVED BY THE TOWN BOARD OF ZIONVILLE, INDIANA as a Public Meeting on.

[Signature]

Approved by the ZIONVILLE PLANNING COMMISSION at a public meeting on.

[Signature]

[Date]

Randy L. Bell, Mayor

 Borough Engineer

APPROVED by the ZIONVILLE PLANNING COMMISSION at a public meeting on.

[Signature]

[Date]