First American Title Insurance Company
Indianapolis Downtown—Corporate
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Subdivision Covenants and Restrictions

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DEDICATION OF COLONY SQUARE SECTION 2

Colony Woods, an Indiana Limited partnership, owner of the real estate described in the plat "Colony Square Section 1", by William P. Jennings, General Partner, certifies that it has laid off, platted, subdivided, and dome lay off, plot and subdivide said real estate in accordance with the foregoing plat of "Colony Square Section 1".

The subdivision shall be known and designated as Colony Square Section 2, located in the Town of Terre Haute, Boone County, Indiana. All streets not heretofore dedicated are hereby dedicated to the public, which shall include the street lighting.

In witness whereof, Colony Woods, and Indiana Limited Partnership, has hereunto caused its name to be subscribed, this 6th day of

**Signature**

William P. Jennings, General Partner

STATE OF INDIANA

COUNTY OF MARION

Before me, the undersigned Notary Public, in and for the County and State, personally appeared Colony Woods, by William P. Jennings, General Partner, and acknowledged the execution of the above and foregoing as its and their voluntary act and deed for the uses and purposes therein expressed.

Notary Public

My Commission Expires

PROTECTIVE COVENANTS FOR COLONY SQUARE SECTION 1

1. BUILDING CONTROL - No building shall be erected or located near to the front lot line, nor nearer to the side street line, than the building set-back line shown on the within plat. In all other respects, the minimum side yard set-back shall be ten (10) feet, and the minimum rear yard set-back 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 not to exceed two and one-half stories in height and a private attached garage for not less than two cars nor more than four cars. In the event the purchaser should buy two adjacent lots with purpose of building one single family dwelling across the centerline, the lot line restriction shall not apply to the boundary line dividing any two said lots.

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, tile, and/or electric or telephone lines, poles, ducts, pipes, etc., or with under and to said easement for local public use. "Drainage Easements" reserved as drainage easements are to be maintained by the owner so that water from any adjacent lot shall have adequate drainage along such easements. If the specified easement is not shown on the plat, all easements shown on the plat are considered drainage easements. No permanent or other structures are to be erected or maintained upon any easements shown upon the plat and owners of lots shall take their titles subject to the rights of the above easements.

4. ARCHITECTURAL CONTROL - No building, outbuilding or other structure shall be erected, placed or altered on any lot until construction plans and specifications and a complete plot plan, showing the nature, kind, shape, height, materials and location of the same have been approved in writing by the Architectural Committee, as to the quality and type of materials, workmanship, and harmony of external design and location with existing structures and with respect to the topography and finished grade elevations. The ground floor or the main structure exclusive of open porches and garages shall not be less than 1400 square feet for houses of one story and at least 1,600 square feet on the first floor of houses of more than one story. Determination of sufficiency and adequacy of the size "ground" floor of main structure with respect to dwellings of tri-level, bi-level and one and one-half story design shall rest exclusively with the Architectural Committee.
18. LANDSCAPE PLAN - Each lot owner shall present a landscape plan to the Architectural Committee for their approval.

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

20. LOT ASSESSMENT - Each lot owner shall be assessed annually for the pro rata costs to maintain the entrance, landscaping, street signs, bike path, plantings and mowing and care of the areas adjoining Whitestown Road and abutting properties.

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

22. GENERAL PROVISIONS - Violation of any one of the covenants by judgment or court order, will in no way affect the other covenants, which shall remain in full force and effect.

23. STORM DRAINAGE - In the event storm water drainage from any lot or lots flows across another lot, provisions shall be made to prevent such drainage to continue without restriction or reduction across the downstream lot and into the natural drainage channel or course, even though no specific drainage easement for such flow of water is provided on such plat.

24. Further, a portion of lots 13 and 14 are specifically intended and designed for a drainage retention area and will be bounded and constructed to fulfill that function. The owners of these lots shall be prohibited from in any way modifying or changing the construction of design of their rear yards to in any way cause the drainage retention area demarcated on their property to become non-functional. By virtue of these covenants, each owner of the previously demarcated lots given to the adjacent landscapers, as well as the Zionsville Area Plan Commission, the specific right and ability to enforce this restrictive covenant and so prohibit the owners of the previously demarcated lots from in any way modifying, changing or obstructing the intended function of this drainage retention area.

APPROVED BY THE TOWN BOARD of Zionsville, Indiana at a Public Meeting on the 23rd day of July, 1987.

[Signatures]

President
Secretary

APPROVED by the ZIONSVILLE PLANNING COMMISSION at a public meeting on the 1st day of [illegible], 1987.

[Signatures]

President
Secretary

Entered for taxation this day of [illegible], 1987, at o'clock.

Boone County Auditor

[Signatures]

Received for record, this day of [illegible], 1987, at o'clock and recorded in Book [illegible], page [illegible].

Boone County Recorder