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.
All streets shown and not heretofore dedicated are hereby dedicated to the public.

2. Front building lines are established as shown on this plat between which lines and the right-of-way lines of the street, no structure shall be erected or maintained. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations 4 (feet) above the street, 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 points twenty-five (25') feet from the intersection of said street lines, or in the case of a rounded corner, from the intersection of the street lines extended. The same sightline limitations shall apply to any lot within ten (10') feet from the intersection of a street line with the edge of a driveway, pavement or alley line. No tree shall be permitted to remain within such distance of such intersections unless foliage is maintained at sufficient height to prevent obstruction of such sight lines. No fence shall be placed closer to the front lot line than the front building setback line.

3. All numbered lots in this addition shall be designated as residential lots. Only one single-family dwelling with an attached two or three car garage shall be permitted on any one lot.

4. No residence shall be erected, placed or permitted to remain on any lot unless said residence shall have a ground floor area of not less than 1600 square feet, exclusive of porch or garage or 1000 square feet in the case of a two-story residence.

5. No trailer, tent, shack, basement, garage, barn or other outliers or temporary structure shall be used for temporary or permanent residential purposes on any lot in the subdivision. No commercial dog kennel, hospital or junk yard will be permitted in the subdivision. Keeping livestock, except domestic pets is prohibited.

6. No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines shown on plat. No unattached accessory building shall be permitted on any lot in the subdivision.

7. The strips of ground marked "utility and/or drainage easements," as shown on plat are hereby reserved for the installation and maintenance of public poles, wires conduits for gas, water, electric and telephone utilities and sanitary and storm sewer, subject at all times to the proper civil authority and to the specified easement herein reserved. No permanent or other encroachment shall be erected or maintained upon said easements and all lot owners shall take their title subject to the rights of the utilities and to the rights of the other owners of lots in this subdivision.

8. All water systems and methods of sewage disposal in this subdivision are to be in compliance with the regulations or procedure by the State Board of Health or other civil authority having jurisdiction.

9. No portion of a farm, trade or activity shall be carried on upon any lot in the subdivision nor shall anything be done therein which may become a nuisance or annoyance to the neighborhood. All lots must be kept mowed.

10. All residential construction must be completed within one year after the starting date including final grading.

11. No boat, camper, bus or trailer shall be parked closer to the street than the building setback line. No unregistered or unlicensed vehicle shall be parked on or repaired on any lot in this subdivision or on any street thereof.

12. All fuel storage tanks in this subdivision shall be buried below the ground.

13. No fence or wall shall be erected or placed on any lot nearer to any street than the minimum front building setback line as shown on plat.

14. All homes in this subdivision will be built by custom builders selected or approved by the developers.
15. All building plans must be approved by the developers or their assignees.

16. Every residence constructed upon any lot within this subdivision shall have a minimum of 25 per cent (25%) masonry construction (brick or stone).

17. No outside trash burners shall be permitted.

18. No towers, masts, satellite dishes or outside antennas of any kind shall be allowed on any lot in this subdivision.

19. Above ground swimming pools shall not be permitted or constructed on any lot in this subdivision.

20. The Declarant shall maintain the entry identification sign to the subdivision and the grounds between the entry streets including any plantings thereon until such time as eighty per cent (80%) of all lots in the development have been sold to initial buyers. Thereafter, and upon notice to the owners of all lots, the said owners shall be required to maintain the said identification sign and/or the ground therewith.

21. The foregoing covenants and restrictions are to run with the land and shall be binding on all parties and all persons 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 by the then owners of the building sites covered by these covenants or restrictions by judgment or court order shall in no way affect any of the other covenants or restrictions, which shall remain in full force and effect.

IN WITNESS WHEREOF, Oren B. Marshall and Jack Dan have hereunto caused their names to be subscribed this 22nd day of May, 1989.

Oren B. Marshall

Jack Dan

State of Indiana

County of Hancock

Before me, a NOTARY PUBLIC, in and for said County and State personally appeared Oren B. Marshall and Jack Dan and acknowledged the execution of the foregoing instrument as their voluntary act and deed.

WITNESS my signature and notarial seal this 22nd day of May, 1989.


Barbara J. White

NOTARY PUBLIC
We, the undersigned, Oren B. Marshall and Jack Dan, being the owners of the described real estate do hereby lay off, plat and subdivide the same into lots and streets in accordance with the within plat. The within plat shall be known and designated as "Cumberland Village" an Addition to the Town of Cumberland in Hancock County, Indiana.

1. All streets shown and not heretofore dedicated are hereby dedicated to the public.

2. Front building lines are established as shown on this plat between which lines and the right-of-way lines of the street no structure shall be erected or maintained. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations two (2) and six (6) feet above the street, shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line twenty-five (25) feet from the intersection of said street lines, or in the case of a rounded corner, from the intersection of the street lines extended. The same sightline limitations shall apply to any lot within ten (10) feet from the intersection of a street line with the edge of a driveway, pavement or alley line. No tree shall be permitted to remain within such distance of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines. No fence shall be placed closer to the front lot line than the front building setback line.

3. All numbered lots in this addition shall be designated as residential lots. Only one single family dwelling with an attached two or three car garage shall be permitted on any one lot.

4. No residence shall be erected, placed or permitted to remain on any lot unless said residence shall have a ground floor area of not less than 1000 square feet, exclusive of porch or garage or 1000 square feet in the case of a two story residence.

5. No trailer, tent, shack, basement, garage, barn or other outbuildings or temporary structure shall be used for temporary or permanent residential purposes on any lot in the subdivision. No commercial dog kennel, hospital or junk yard will be permitted in the subdivision. Keeping livestock, except domestic pets is prohibited.

6. No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines shown on plat. No unattached accessory building shall be permitted on any lot in the subdivision.

7. The strips of ground marked "utility and/or drainage easements," as shown on plat are hereby reserved for the installation and maintenance of public poles, wires, conduits for gas, water, electric and telephone utilities, sanitary and storm sewer, subject at all times to the proper civil authority and to the specified easement herein reserved. No permanent or other structure shall be erected or maintained upon said easements and all lot owners shall take their title subject to the rights of the utilities and to the rights of the other owners of lots in this subdivision.

8. All water systems and methods of sewage disposal in this subdivision are to be in compliance with the regulations or procedure by the State Board of Health or other civil authority having jurisdiction.

9. No act of business or activity shall be carried on upon any lot in this subdivision nor shall anything be done therein which may become a nuisance or annoyance to the neighborhood. All lots must be kept moved.

10. All residential construction must be completed within one year after the starting date including final grading.

11. 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