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.
DEER RUN-SECTION THREE
COVENANTS
PAGE 2 OF RECORD PLAT

1. Gene Rinninger, owner of the real estate shown and described herein, do hereby lay
off, plat and subdivide said real estate in accordance with the within plat.

This subdivision shall be known and designated as DEER RUN, SECTION THREE. All streets
shown and not heretofore dedicated are hereby dedicated to the public.

Front building setback lines are hereby established as shown on this plat, between
which buildings or structures. The strips of ground shown on this plat and included
utility easements (D. & S. E.) are reserved for the use of the public utilities
for the installation of water and sewer mains, poles, ducts, lines and wires,
drainage facilities subject at all times to the proper authorities and to the
owners herein reserved. No permanent or other structures are to be erected or
maintained on said strips of land, but owners of lots in this subdivision shall take
their titles subject to the rights of the public utilities, and to the rights of the
owners of the other lots in this subdivision.

This subdivision shall be subject to the following restrictions which shall operate
cumulatively:

1. Drainage swales (ditches) along dedicated roadways and within the right-of-way,
or on dedicated drainage easements, are to be altered, dug out, filled in,
tiled, or otherwise changed without the written permission of the Hancock County
Surveyor. Property owners must maintain these swales as sanded or gravel roads or
other non-eroding 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. Driveways may be constructed over these swales or ditches
only when appropriate sized culverts or other approved structures have been
permitted by the County Surveyor.

2. All driveways entering onto County Road 600 West and crossing the roadway
shall be constructed with an acceptable 18 in. x 30 in. corrugated metal pipe.
Said pipe shall be placed per the Hancock County Highway Engineer and County
Commissioners.

3. Any property owner altering, changing or damaging the drainage swales or ditches
shall be responsible for such action and will be given 10 days notice by
registered mail to repair said damage, after which time, if no action is taken,
the Hancock County Surveyor will cause said repairs to be accomplished, and the
bill for such repairs will be sent to the affected property owner for immediate
payment.

4. No fence, wall, hedge, tree or shrub planting which obstructs sight lines and
elevations between 2.5 and 8 feet above the street shall be placed or permitted
to remain on any corner lot within the triangular area formed by the street
right-of-way lines and a line connecting points 40 feet from the intersection of
said street lines (40 feet for major streets and 30 feet for arterial streets) or
in the case of a rounded property corner from the intersection of the street
right-of-way lines extended.

5. The same sight line restrictions shall apply to any lot within 10 feet of the
intersection of a street right-of-way line with the edge of the driveway pavement
or alley line. No driveway shall be located within 70 feet of the intersection
of two street lines. No drainage structures shall be located within driveway limits.

6. No sump pump drain or other drain shall outlet to the street.

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

All numbered lots in this subdivision shall be designated residential lots.

14. No noxious or offensive trade shall be carried on said subdivision or shall anything be done therein
annoying to the neighborhood. All lots must

15. All residential construction must be completed
starting date, including the final grading.

16. No boat, camper, bus or trailer shall be parked
near said building setback or on said roads.
No Improvement
shall be made on or repaired on any lot in
this subdivision.

17. All fuel storage tanks in this subdivision shall
be approved by the developer.

18. No fence or wall shall be erected or placed on
street the minimum front building setback
shall be maintained.

19. All homes in this subdivision will be built by
approved or approved by the developer.

20. All building plans must be approved by the developer.

21. All out buildings shall be constructed with
in appearance with the residence on the lot or
built.

22. Any external T.V. Antenna or satellite dish shall
be approved.

23. Any drive to be black top or concrete surface

24. The forego covenant are to run with the land
and all parties and all persons claiming under them
shall be responsible for compliance.

STATE OF INDIANA
COUNTY OF HANCOCK

1. Gene Rinninger, do hereby certify that I am the
property to be surveyed and subdivided as shown
free and voluntary act, and deed.

2. The above deed and plat are true and correct.

NOTARY PUBLIC

[Signature]

[Date]
3. Any property owner altering, changing or covering the storm drains or ditches shall be held responsible for such alteration or cover being done. If no action is taken within 30 days from the date of written notice by the Hancock County Surveyor, the Hancock County Surveyor shall cause said repair to be accomplished, and the bill for such repair will be sent to the owner of the property for immediate payment.

4. No fence, wall, hedge, tree or shrub planting which obstructs sight lines and elevations between 2.5 and 8 feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points 40 feet from the intersection of said street lines (40 feet for major streets and 25 feet for minor streets) or 20 feet from the rounded property corner from the intersection of the street right-of-way lines extended.

5. The same sight limitations shall apply to any lot within 10 feet of the intersection of a street right-of-way line with the edge of the driveway pavement or alley line. No driveway shall be located within 10 feet of the intersection of two street lines. No drainage structures shall be located within driveway limits.

6. No septic tank drains or other drains shall outlet to the street.

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

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

9. No residence shall be erected, placed or permitted to remain on any lot unless the said residence shall have a ground floor area of not less than 1300 square feet, exclusive of porch or garage or 1600 square feet in the case of a two-story residence.

10. 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.

11. No building shall be located on any lot nearer to the front line or nearer to the side street line than the minimum building setback lines shown on the plat. No accessory building shall be located closer to any front or side lot line than the required minimum front and side yard distance for the primary dwelling. No accessory building shall be located closer to any rear lot than 15 feet, but in no case shall it encroach upon any easement.

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

13. No vinyl, pressed wood, or aluminum siding shall be used in the subdivision. A minimum of 75% of the front of residence to be either brick or stone.

STATE OF INDIANA
COUNTY OF HANCOCK

I, Gene Kininger, do hereby certify that I am the person who executed the foregoing convenants, or restrictions, in whole or in part, and that no other covenants or restrictions, by me in no way affect any other covenants or restrict full force and effect.

Gene Kininger

COUNTY OF RESIDENCE: Hancock

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS THAT THE DEDICATIONS SHOWN ON THIS PLAT ARE HEREBY

APPROVED BY THE HANCOCK COUNTY PLAN COMMISSION IN SUBDIVISION CONTROL ORDINANCE THIS 20TH DAY OF

J. D. Kennedy, President

This Instrument prepared by Nolan & Gibson Corporation, Ronald L. Nolan, President.
ER RUN - SECTION THREE

COVENANTS

PAGE 2 OF RECORD PLAT

The real estate shown and described herein, do hereby lay real estate in accordance with the plat.

The real estate herein is divided into two sections, an eastern section and a western section. All streets and roads are hereby dedicated to the public.

The real estate is hereby established as shown on this plat, between the two sections where there shall be erected or maintained no structures except for the public utilities and necessary public works such as sewers, water mains, poles, ducts, lines and wires, all times to the proper authorities and to the permanent or future structures to be erected on and after the date of the plat.

The public utilities and the rights of the public are hereby acknowledged to the ownership and use of the public utilities, and to the rights of the public to use the same.

The following restrictions shall operate:

1. All drainage swales or ditches shall be constructed and maintained in such a manner as to prevent the drainage from entering the public street or property.

2. 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 the plat.

3. All homes in this subdivision will be built by custom builders selected or approved by the developers.

4. All building plans must be approved by the developers or their assigns.

5. All out buildings shall be constructed of new materials and be similar in appearance with the residence on the lot on which the building is being built.

6. Any external T.V. Antenna or satellite dish shall be placed in back of the residence.

7. All drives to be black top or concrete surface one year after construction.

8. The foregoing covenants are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 2021, after which time, if no action is taken, the covenant shall be automatically extended for successive periods of ten (10) years unless charged by vote of a majority of the owners of the building site covered by these covenants, or restrictions.

State of Indiana

County of Hancock

DULY ENTRIED FOR TAXATION

DEC 12, 1972

Mark W. County
This subdivision shall be subject to the following restrictions which shall operate as perpetual covenants.

1. 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 Surveyor. Property owners must maintain these swales as sodded grassways or other non-eroding surfaces. Water from rooftop 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. Driveways may be constructed over these swales or ditches only when appropriate sized culverts or other approved structures have been permitted by the County Surveyor.

2. Any property owner altering, changing or damaging the drainage swales or ditches will be held responsible for such action and will be given 10 days notice by registered mail to repair said damage, after which time, if no action is taken, the Hancock County Surveyor will cause said repairs to be accomplished, and the bill for such repairs will be sent to the affected property owner for immediate payment.

3. No fence, wall, hedge, tree or shrub planting which obstructs sight lines and elevations between 2.5 and 8 feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points 40 feet from the intersection of said street lines (40 feet for minor streets and 75 feet for arterial streets) or in the case of a rounded property corner from the intersection of the street right-of-way lines extended.

4. The same sight limitations shall apply to any lot within 10 feet of the intersection of a street right-of-way line with the edge of the driveway pavement or alley line. No driveway shall be located within 70 feet of the intersection of two street lines. No drainage structures shall be located within driveway limits.

5. No sump pump drains or other drains shall outlet to the street.

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

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

8. 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 1500 square feet, exclusive of porch or garage or 1000 square feet in the case of a two-story residence.

9. 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.

10. No building shall be located on any lot nearer to the front line or nearer to the side street line than the minimum building setback lines shown on the plat. No accessory building shall be located closer to any front or side lot line than the required minimum front and side yard distance for the primary dwelling. No accessory building shall be located closer to any rear lot line than 15 feet, but in no case shall it encroach upon any easement.

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

12. No vinyl, pressed wood, or aluminum siding shall be used in the subdivision. A minimum of 25% of the front of residence to be either brick or stone.

13. No noxious or offensive trade shall be carried upon any lot in this subdivision nor shall anything be done thereby which may become a nuisance or annoyance to the neighborhood. All lots must be kept mowed.

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

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

STATE OF INDIANA
COUNTY OF HANCOCK

I, Gene Ring, Judge of the above county, hereby certify that the above subdivision is free and void as to the premises described.

I, state do hereby certify that the above subdivision is free and void as to the premises described.

Given under my hand and seal this 12th day of October, 1972.

My commission expires:

COUNTY OF HANCOCK

This Instrument prepared by Nolan and Gibson Corporation, R.
described herein, do hereby lay with the within plat.
16. All fuel storage tanks in this subdivision shall be buried below ground.
17. No fence or wall shall be erected or placed on any lot near to any street than the minimum front building setback line as shown on the plat.
18. All homes in this subdivision will be built by custom builders selected or approved by the developers.
19. All building plans must be approved by the developers or their assigns.
20. All out buildings shall be constructed of new materials and be similar in appearance with the residence on the lot on which the building is being built.
21. Any external V.T. Antenna or satellite dish shall be placed in behind the residence.
22. All drives to be black top or concrete surface one year after construction.
23. The foregoing covenants are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 2011 at which time said covenants and restrictions shall be automatically extended for successive periods of ten (10) years unless changed by vote of a majority of the then owners of the building sites covered by these covenants, or restrictions, in whole or part. Invalidation of any one of the foregoing covenants, or restrictions, by judgment or court order shall in no way affect any other covenants or restrictions, which shall remain in full force and effect.

STATE OF INDIANA )
COUNTY OF HANCOCK ) SS:

I, Gene Rininger do hereby certify that I am the owner of the property described in the above caption and that as such owners, we have caused the said above described property to be surveyed and subdivided as shown on the herein drawn plat, as my own free and voluntary act and deed.

by: 

Gene Rininger

I, a notary public in and for said County and State do hereby certify that I, personally known to me to be the same person whose name is subscribed to the above certificate, appeared before me this day in person and acknowledged that he signed the above certificate as his own free and voluntary act for the purpose therein set forth.

Given under my hand and notarial seal this 16th day of January, 1989.

My commission expires 2-8-91

COUNTY OF RESIDENCE: HANCOCK

NOTARY PUBLIC
PRINTED SIGNATURE: Margaret E. Linn
Note: See page 2 of record plat for lot curve data.

I, the undersigned Registered Land Surveyor, do hereby certify that I am a Registered Land Surveyor, licensed in compliance with the laws of the State of Indiana, and that I have conducted a survey under my direct supervision and to the best of my professional knowledge, information and belief this plat is an accurate representation of that survey and that all monuments shown thereon actually exist; and that all other requirements specified herein, done by me, have been met, and that the real estate is described as follows:

A part of the East 1/2 of the Southeast 1/4 of Section 24, Township 15 North, Range 5 East in Hancock County, Indiana, said part being more particularly described as follows:

Commencing at a railroad spike marking the Northeast corner of said 1/2 1/4 section; thence South 89° 11' 30" West along the North line of said 1/2 1/4 section a distance of 817.15' to the Northwest corner of Deer Run - Section One as per the plat thereof recorded as Instrument Number 88-0012 in the office of the Recorder of Hancock County, Indiana and being the POINT OF BEGINNING of this description; thence South 00° 07' 48" West along the West line of said Deer Run - Section One a distance of 1186.14' to the Southwest corner of said Deer Run - Section One; thence North 89° 52' 12" West a distance of 255.00' to a 5/8" rebar; thence South 59° 09' 58" West a distance of 58.31' to a 5/8" rebar; thence North 89° 52' 12" West a distance of 210.00' to a 5/8" rebar on the West line of said 1/2 1/4 section; thence North 00° 07' 48" East along said West line a distance of 1207.71' to the Northwest corner of said 1/2 1/4 section; thence North 89° 11' 30" West along the North line of said 1/2 1/4 section a distance of 515.07' to the point of beginning.

Containing 14.136 acres, more or less. Subject to all legal highways, rights-of-way, easements and restrictions of record.

This subdivision consists of 18 lots numbered 22 thru 39 inclusive. The dimensions are shown in feet and fractional parts thereof.

CERTIFIED: May 31, 1988

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, HANCOCK COUNTY, INDIANA, THAT THE DEDICATIONS SHOWN ON THIS PLAT BE HEREBY APPROVED AND ACCEPTED THIS THE 16 DAY OF MAY, 1988.

James K. Kelley
President


J. D. Kennedy

DENOTES 5/8" rebar (or copperweld if within pavement) to be set within 60 days after completion of street construction.

NOTE: 5/8" rebar to be set at all lot corners within 60 days after recording of plat. 00900 DENOTES TYPICAL STREET ADDRESS.