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.
The undersigned, THE SHOREWOOD CORPORATION, being the owners of record of the above-described real estate hereby certifies that it with this plat and certificate.

This subdivision shall be known and designated as "Nasthead - Section Five".

1. All streets shown and not heretofore dedicated, are hereby dedicated to the public for its use.

1. EASEMENTS FOR DRAINAGE, SEWERS AND UTILITIES:

   a. DRAINAGE EASEMENTS (D.E.) - are created to provide paths and courses for area and local storm drainage, either on land or ground and/or public drainage system; and it shall be the individual responsibility of the lot owner to maintain the drain in any manner by the construction or reconstruction of any improvement, nor shall any grading restrict the water flow in any necessary to obtain adequate drainage at any time by any governmental authority having jurisdiction over drainage or by the lot owner.

   b. SEWER EASEMENTS (S.E.) - are created for the use of the local governmental agency having jurisdiction over the storm and sanitary for the installation and maintenance of sewers that are a part of said system. Each owner of a lot in such case of sewer easement.

   c. UTILITY EASEMENTS (U.E.) - are created for the use of public utility companies, not including transportation companies, in the case of sewer easements.

   d. The owners of all lots in this addition shall take title subject to the rights of public utilities, governmental agencies granted for ingress and egress in, along, and through the strips of ground for the purposes herein stated.

2. DWELLING SIZE AND USE:

   All lots in this subdivision shall be known and designated as residential lots. No business buildings shall be erected on said lots. All structures shall be erected, a detached single-family dwelling not to exceed two and one-half stories in height and residential access roads. Any ga shall conform to the general architecture and appearance of such residence. The minimum square footage of living space of the floor area for single family residence and 1,000 square feet for two story or multi-story residence with the ground floor having a minimum building and basement.

3. PRIVATE DRIVE: Block "A" as shown on within plat where private drives are shown on this plat and designated "C.T." they shall be owned in common with the other lot owners and serve lot owners served by such drive to contribute an equal share in the cost of maintenance of such drives. Where a majority of the owners paying such cost may fail to pay their allocable share of such repair, then the owners paying, such cost may file a lien against the property value of the land against any such lot and the owner thereof and recover the full assessment owed together with interest from the date of service said lots in which event the several property owners shall maintain the utilities not otherwise maintained by the respective owners.

4. ACCESS:

   There shall be no direct driveway access by the Owners of the lots abutting Fall Creek Road, as other means of access have been provided.

5. FENCES:

   No fence, wall, hedge or shrub planting which obstruct sight lines as elevations between 2 and 6 feet above the street, shall be maintained at sufficient height to prevent obstruction of such sight lines.
The deeds of the real estate hereby certify that they do lay off, plat and subdivide the same into lots, blocks and streets in accordance with the use.

They are to be separated or in combination of the three, as shown on the plat, which are reserved for the use of the lot owners, public and local storm drainage, either overland or in adequate underground conduit, to serve the needs of the subdivision and adjoinging utility of the lot owner to maintain the drainage across his own lot. Under no circumstances shall said easement be blocked in any grading restrict the water flow in any manner. Said areas are subject to construction or reconstruction to any extent having jurisdiction over drainage or by the developer of the subdivision.

Every having jurisdiction over the storm and sanitary waste disposal system of said city and/or county designated to serve the part of said system. Each owner of a lot must connect with any public sanitary sewer available.

s, not including transportation companies, for the installation of pipes, mains, ducts and cables as well as for the uses specified of public utilities, governmental agencies, and the rights of the other lot owners in this addition to said easement herein for the purposes herein stated.

No business buildings shall be erected on said lots and no business may be conducted on any part thereof, other than the home, Indiana. No structure shall be erected, altered, placed, or permitted to remain on any residential lot herein, other than one and residential accessory buildings. Any garage, or accessory building erected shall be of a permanent type and have a maximum of 1200 square feet of living space of dwellings constructed on all residential lots shall be 2000 square feet.

The ground floor having a minimum of 1200 square feet, exclusive of porches, terraces, garages, garages, accessory used in common with the other lot owners serviced by such drive and it shall be the obligation of each owner in common with the other owners of such drives. Where a majority of lot owners served by private drive elect to repair such drive and one or more lot owner's may file a lien for the reasonable value of labor performed and materials furnished as prescribed by the lien laws of the State of Oklahoma, together with interest from due date and reasonable attorneys fees. The private drive shall contain utilities (private or public) utilities not otherwise maintained by the respective utility in the same manner as set out for drives. Lots 173 and 174 are the lots Creek Road, as other means of access have been provided.

Between 2 and 6 feet above the street, shall be placed or permitted to remain on any corner lot within the triangular areas formed by 1/2 of said street lines. No trees shall be permitted to remain within said distances of such intersections unless the foliage line is
X. **UTILITY BASEMENTS (U.B.)** - are created for the use of public utility companies, not including transportation companies, in the case of sewer easements.

D. The owners of all lots in this addition shall take title subject to the rights of public utilities, governmental agencies granted for ingress and egress in, along, and through the strips of ground for the purposes herein stated.

2. **DWELLING SIZE AND USE:**

All lots in this subdivision shall be known and designated as residential lots. No business buildings shall be erected on that proportion permitted in the Dwelling Districts Zoning Ordinance of Marion County, Indiana. No structure shall be erected, detached single-family dwelling not to exceed two and one-half stories in height and residential accessory buildings, any

shall conform to the general architecture and appearance of such residences. The minimum square footage of living space of 700 for single floor residences and 800 square feet for two story or multi-story residences with the ground floor having a main building and basement.

PRIVATE DRIVE: Block "B" shown on within flat share private drives are shown on this plat and designated "..." they shall be owned in common with the other lot owners so that owners served by such drive to contribute an equal share in the cost of maintenance of such drives. Where a majority of the owners fail to pay their allocable share of such repair, then the owners paying such cost may file a lien for the reasonable value of the work done together with interest from the date served to serve said lots in which event the several property owners shall maintain the utilities not otherwise maintained by the owners served.

4. **ACCESS:**

There shall be no direct driveway access by the owners of the lots abutting Fall Creek Road, as other means of access have

5. **FENCES:**

No fence, wall, hedge or shrub planting which obstruct sight lines as elevations between 2 and 6 feet above the street, shall be maintained at sufficient height to prevent construction of such sight lines.

6. **RESIDENTIAL SETBACK REQUIREMENTS:**

in general—unless otherwise provided in these restrictions or on the recorded plat, no dwelling house or above grade structures provided herein.

A. Definitions—"side line" means a lot boundary that extends from the road on which a lot abuts to the rear line of said lot, the road on which the lot abuts, except that on corner lots, it may be determined from either abutting road.

B. Front Yards—The front building setback lines shall all be as set forth upon this plat of the Development.

C. Cul-de-Sac—If the particular lot abuts on a cul-de-sac, the front building setback line shall be shown on the plat of

D. Side Yards—The side yard setback lines shall not be less than an aggregate of twenty-two (22) feet. Provided, however,
agency having jurisdiction over the storm and sanitary waste disposal system of said city and/or county designated to serve the
re a part of said system. Each owner of a lot must connect with any public sanitary sewer available.

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as of public utilities, governmental agencies, and the rights of the other lot owners in this addition to said easement herein
for the purposes herein stated.

- No business buildings shall be erected on said lots and no business may be conducted on any part thereof, other than the home

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ht and residential accessory buildings. Any garage, or accessory building erected shall be of a permanent type of construction and

minimum square footage of living space of dwellings constructed on all residential lots shall be 2000 square feet

residence with the ground floor having a minimum of 1200 square feet, exclusive of porches, terraces, garages, carports, accessory

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which a lot abuts to the rear line of said lot. "Rear line" means the lot boundary line that is farthest from, and substantially parallel
determined from either abutting road.

on this plat of the Development.

ng setback line shall be shown on the plat of that lot.

to of twenty-two (22) feet. Provided, however, no side yard shall be less than eight (8) feet from the side line of the lot.

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