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Title Insurance Company*

Not Just for One Transaction, But for Life

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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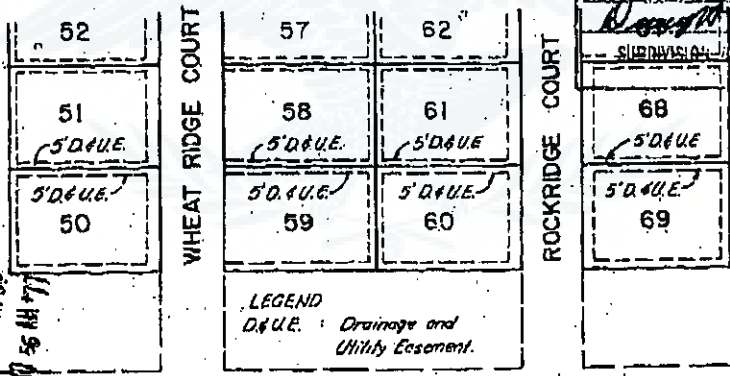
**RIDGEGATE - SECTION III**  
**SURVEYOR'S CERTIFICATE OF AMENDMENT**

APPROVAL OF  
**ENGINEER'S CERTIFICATION**  
 OF THE AMENDMENT  
 DRAINAGE AND UTILITY EASEMENTS  
 FOR LOTS 50, 51, 58, 59, 60, 61, 68, AND 69

*December 3, 1977*  
*Richard B. Wetzel*  
 SUPERVISOR - DISTRICT

**N**

SCALE: 1" = 100'



LEGEND  
D.U.E. : Drainage and Utility Easement.

RECEIVED FOR RECORD  
PROCESSED BY  
RECORDED - MAR 10 1978  
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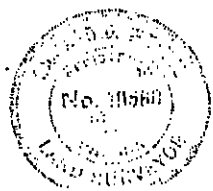
AN AMENDMENT TO THE ORIGINAL PLAT OF RIDGEGATE, SECTION III, RECORDED AS INSTRUMENT NUMBER 77-0087452, I. THE UNDERSIGNED GENERAL PARTNER OF THE OWNER OF LOTS NUMBER 50, 51, 58, 59, 60, 61, 68, AND 69, DO HEREBY DEDICATE 5' DRAINAGE AND UTILITY EASEMENTS ALONG THE ENTIRE NORTH BOUNDARIES OF LOTS NUMBER 50, 59, 60, AND 69, AND ALONG THE ENTIRE SOUTH BOUNDARIES OF LOTS NUMBER 51, 58, 61, AND 68 FOR DRAINAGE AND UTILITY PURPOSES, AS PROVIDED IN THE COVENANTS AND RESTRICTIONS CONTAINED WITHIN THE ORIGINAL PLAT. ALL OTHER EASEMENTS CONTAINED WITHIN THESE LOTS, AS SHOWN ON THE ORIGINAL PLAT, ARE TO REMAIN IN EFFECT.

BY: *Charles A. Pechette*  
Charles A. Pechette, General Partner  
Ridgegate Development Company  
Owner of Record, Lots Number 50, 51,  
58, 59, 60, 61, 68, and 69

THIS AMENDMENT PREPARED BY:  
Richard B. Wetzel  
Wetzel Engineers  
222 North New Jersey Street  
Indianapolis, Indiana 46204

CERTIFIED THIS 17TH DAY OF NOVEMBER, 1977.

*Richard B. Wetzel*  
Received Time: May 13, 4:36 PM  
SURVEYOR NO. 10088



770081680

COVENANTS AND RESTRICTIONS

THE UNDERSIGNED, OWNERS OF THE ABOVE DESCRIBED REAL ESTATE, HEREBY CERTIFY THAT THEY DO LAY OFF, LAY  
AND SUBDIVIDE THE SAME IN ACCORDANCE WITH THIS PLAN AND CERTIFICATE.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS RICHMONT - SECTION 111.

THE STREETS, IF NOT HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO THE PUBLIC.

THERE ARE STRIPS OF GROUND OF VARYING FEET IN WIDTH AS SHOWN ON THIS PLAN AND MARKED U & D LINE, WHICH  
ARE HEREBY RESERVED FOR THE USE OF PUBLIC UTILITIES, NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLA-  
TION AND MAINTENANCE OF POLES, MAINS, PIPES, DRAINS, LINES AND WIRES, SUBJECT AT ALL TIMES TO THE PROPER  
AUTHORITIES AND TO THE EASEMENTS HEREIN GRANTED AND RESERVED. NO PERMANENT STRUCTURES ARE TO BE ERRECTED OR  
MAINTAINED UPON SAID UTILITY EASEMENTS, OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE TITLE SUBJECT TO THE  
RIGHTS OF THE PUBLIC UTILITIES, SAID RIGHTS ALSO INCLUDING THE RIGHT OF INGRESS AND EGRESS, IN, ALONG, ACROSS  
AND THROUGH SAID UTILITY EASEMENTS, AND TO THE RIGHTS OF OWNERS OF THE OTHER LOTS IN THIS ADDITION.

BUILDING SET-BACK LINES ARE HEREBY ESTABLISHED ON THIS PLAN, BETWEEN WHICH LINES AND THE PROPERTY LINES  
OF THE STREETS, SHALL BE ERRECTED OR MAINTAINED NO BUILDING OR STRUCTURE.

NO BUILDING, STRUCTURE OR ACCESSORY BUILDING SHALL BE ERRECTED CLOSER TO THE SIDE OF ANY LOT THAN SIX (6)  
FEET WITH AN AGGREGATE OF 16 FEET FOR BOTH SIDES OF THE LOT AT THE BUILDING LINE, WHICHEVER IS THE LESSER,  
EXCEPT FENCES, WIRE BUILDINGS ARE ERRECTED ON MORE THAN ONE SINGLE LOT THIS RESTRICTION SHALL APPLY TO THE  
SIDE LINES OF THE EXTREME BOUNDARIES OF THE MULTIPLE LOTS.

ALL LOTS IN THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS RESIDENTIAL LOTS. NO STRUCTURE SHALL BE  
ERRECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY RESIDENTIAL LOT HEREIN, OTHER THAN ONE DETACHED SINGLE-  
FAMILY DWELLING NOT TO EXCEED TWO AND ONE-HALF STORIES IN HEIGHT, AND A PRIVATE GARAGE FOR NOT LESS THAN 2  
CARS AND RESIDENTIAL ACCESSORY BUILDINGS.

THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE-STORY OPEN PORCHES AND GARAGES, SHALL BE  
NOT LESS THAN NINE HUNDRED (900) SQUARE FEET IN THE CASE OF A ONE-STORY STRUCTURE, NOR LESS THAN SIX HUNDRED  
SIXTY (660) SQUARE FEET IN THE CASE OF A MULTIPLE STORY STRUCTURE, PROVIDED NO STRUCTURE OF MORE THAN ONE STORY  
SHALL HAVE LESS THAN AN AGGREGATE OF NINE HUNDRED (900) SQUARE FEET OF FINISHED AND LIVABLE FLOOR AREA.

NO HOTEL BUILDING, BOARDING HOUSE, MERCANTILE OR FACTORY BUILDING OR BUILDINGS OF ANY KIND FOR COM-  
MERCIAL USE SHALL BE ERRECTED OR MAINTAINED ON ANY LOT IN THIS SUBDIVISION.

NO TRAILERS, SHACKS OR OUTHOUSES OF ANY KIND SHALL BE ERRECTED OR SITUATED ON ANY LOT HEREIN, EXCEPT  
THAT FOR USE BY THE BUILDER DURING THE CONSTRUCTION OF A PROPER STRUCTURE.

NO FARM ANIMALS, FOWLS, OR DOMESTIC ANIMALS FOR COMMERCIAL PURPOSES SHALL BE KEPT OR PERMITTED ON ANY  
LOT OR LOTS IN THIS SUBDIVISION.

NO NOXIOUS, UNLAWFUL, OR OTHERWISE OFFENSIVE ACTIVITY SHALL BE CARRIED OUT ON ANY LOT IN THIS  
SUBDIVISION, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE  
NEIGHBORHOOD.

NO FENCE SHALL BE ERRECTED ON OR ALONG ANY LOT LINE, NOR ON ANY LOT, THE PURPOSE OR RESULT OF WHICH  
WILL BE TO OBSTRUCT REASONABLE VISION, LIGHT OR AIR, AND ALL FENCES SHALL BE KEPT IN GOOD REPAIR AND ERRECTED  
REASONABLY SO AS TO ENCLOSE THE PROPERTY AND DECORATE THE SAME WITHOUT HINDERANCE OR OBSTRUCTION TO ANY OTHER  
PROPERTY. NO FENCE SHALL BE ERRECTED BETWEEN THE FRONT PROPERTY LINES AND THE BUILDING SET-BACK LINE OTHER  
THAN A FENCE OF A DECORATIVE NATURE NOT EXCEEDING THREE (3) FEET SIX (6) INCHES IN HEIGHT.

NO PRIVATE, OR SEMI-PRIVATE WATER SUPPLY AND/OR SEWAGE DISPOSAL SYSTEM MAY BE LOCATED UPON ANY LOT IN  
THIS SUBDIVISION, WHICH IS NOT IN COMPLIANCE WITH REGULATIONS OR PROCEDURE AS PROVIDED BY THE INDIANA STATE  
BOARD OF HEALTH, OR OTHER CIVIL AUTHORITY HAVING JURISDICTION. NO SEPTIC TANK, ABSORPTION FIELD, OR ANY OTHER  
METHOD OF SEWAGE DISPOSAL SHALL BE LOCATED OR CONSTRUCTED ON ANY LOT OR LOTS HEREIN EXCEPT AS APPROVED BY SAID  
HEALTH AUTHORITY.

NO BUILDING SHALL BE ERRECTED, PLACED OR ALTERED ON ANY BUILDING PLAT IN THIS SUBDIVISION UNTIL THE  
BUILDING PLANS, SPECIFICATIONS AND PLOT PLAN SHOWING THE LOCATION OF SUCH BUILDING HAVE BEEN APPROVED AS TO  
THE CONFORMITY AND HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES HEREIN AND AS TO THE BUILDING WITH  
RESPECT TO TOPOGRAPHY AND FINISHED GROUND ELEVATION, BY A COMMITTEE COMPOSED OF THE UNDERSIGNED OWNERS OF  
THE HEREIN DESCRIBED REAL ESTATE, OR BY THEIR DULY AUTHORIZED REPRESENTATIVES. IN THE EVENT OF THE DEATH OR  
RESIGNATION OF ANY MEMBER OF SAID COMMITTEE, THE REMAINING MEMBER OR MEMBERS SHALL HAVE FULL AUTHORITY TO  
APPROVE OR DISAPPROVE SUCH DESIGN AND LOCATION, OR TO DESIGNATE A REPRESENTATIVE WITH LIKE AUTHORITY. IF THE  
COMMITTEE FAILS TO ACT UPON ANY PLAN SUBMITTED TO IT FOR ITS APPROVAL WITHIN A PERIOD OF FIFTEEN (15) DAYS  
FROM THE SUBMISSION DATE OF THE SAME, THE OWNER MAY PROCEED WITH THE BUILDING ACCORDING TO THE PLANS  
AS APPROVED. NEITHER THE COMMITTEE MEMBERS NOR THE DESIGNATED REPRESENTATIVES SHALL BE ENTITLED TO ANY  
COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT.

IF THE PARTIES HERETO, OR ANY OF THEM, OR THEIR HEIRS OR ASSIGNS SHALL VIOLATE OR ATTEMPT TO VIOLATE  
ANY OF THESE COVENANTS, RESTRICTIONS, PROVISIONS OR CONDITIONS HEREIN, IT SHALL BE LAWFUL FOR ANY OTHER PERSON  
OWNING ANY REAL PROPERTY SITUATED IN THIS SUBDIVISION TO PROSECUTE ANY PROCEEDINGS AT LAW OR IN EQUITY AGAINST  
THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE SUCH COVENANT, AND EITHER TO PREVENT HIM OR THEM  
FROM DOING SO, OR TO RECOVER DAMAGES OR OTHER DUES FOR SUCH VIOLATION.

NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN 2 AND 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 25 FEET FROM THE INTERSECTION OF SAID STREET LINES  
OR IN THE CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET LINES EXTENDED. THE SAME  
OR IN THE CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF A STREET LINE WITH THE  
ADJUTING LINES SHALL APPLY TO ANY LOT WITHIN 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 DISTANCES OF SUCH  
INTERSECTIONS UNLESS THE FOREAHE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SUCH SIGHT  
LINES.

THESE COVENANTS ARE TO RUN WITH THE LAND, AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING  
UNDER THEM UNTIL 1 JUNE 1978, AT WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE  
PERIODS OF TEN (10) YEARS, UNLESS BY A VOTE OF A MAJORITY OF THE THEN OWNERS OF THE LOTS IN THIS SUBDIVISION,  
IT IS AGREED TO CHANGE SAID COVENANT IN WHOLE OR IN PART, RIGHT OF ENFORCEMENT OF THESE COVENANTS IS HEREBY  
GRANTED TO THE METROPOLITAN DEVELOPMENT COMMISSION, ITS SUCCESSORS OR ASSIGNS.

INVALIDATION OF ANY OF THE FOREGOING COVENANTS, PROVISIONS, RESTRICTIONS OR CONDITIONS BY JUDGMENT OR  
COURT ORDER SHALL IN NO WAY AFFECT ANY OF THE OTHER PROVISIONS, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

WITNESS MY SIGNATURE THIS 5th DAY OF October, 1977.

*Charles A. ...*  
CHARLES A. ...  
RECREATION DEVELOPMENT COMPANY

COUNTY OF MARION)  
STATE OF INDIANA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND  
STATE, PERSONALLY APPEARED THE ABOVE AND ACKNOWLEDGED THE EXECUTION OF THIS  
INSTRUMENT AS HIS VOLUNTARY ACT AND DEED AND ATTACHED HIS SIGNATURE THEREON.

Received Time May 13 4:36 PM '77

*Don E. ...*

FINAL APPROVAL  
0-13874  
DONALD M. JOHNSON  
METROPOLITAN DEVELOPMENT COMMISSION

VOID UNLESS RECORDED  
BEFORE May 9 1977