THE UNDESIGNED, C.P. MORGAN CO., INC., BY WILLIAM B. BLAKE, VICE-PRESIDENT FOR AND BEHALF OF SAID C.P. MORGAN CO., INC., AS OWNER OF THE WITHIN DESCRIBED REAL ESTATE, DO HEREBY LAY OFF, PLAT AND SUBDIVIDE THE SAME INTO LOTS AND STREETS IN ACCORDANCE WITH "SUNSET AT EAGLE CREEK SECTION II", A SUBDIVISION IN MARION COUNTY, PIKE TOWNSHIP, INDIANA.

STREETS: THE STREETS, TOGETHER WITH ALL EXISTING AND FUTURE PLANTING, TREES AND SHRUBERY THEREON, AS SHOWN ON THE WITHIN PLAT ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPERTY PURPOSES, RESERVING THEREON, WHENEVER DISCONTINUED BY LAW.

RESIDENCE LIMITATIONS: NO TRAILER, SHACK, TENT, BOAT, BASEMENT, GARAGE OF OTHER OUTBUILDING MAY BE USED AT ANY TIME AS A RESIDENCE, TEMPORARY OR PERMANENT; NOR MAY ANY STRUCTURE OF A TEMPORARY CHARACTER BE USED AS A RESIDENCE.

ATTACHED GARAGE AND STORAGE: NO GARAGE SHALL BE ERECTED ON ANY LOT HEREIN WHICH IS NOT PERMANENTLY ATTACHED TO THE RESIDENCE, AND NO ENCLOUSE STORAGE AREA SHALL BE ERECTED. NO ENCLOSED STORAGE AREA SHALL BE ERECTED ON ANY LOT HEREIN WHICH IS NOT PERMANENTLY ATTACHED TO THE RESIDENCE.

TEMPORARY STRUCTURES: NO TRAILERS, SHACKS, OUTHOUSES, DETACHED STORAGE SHEDS OR TOOL SHEDS OF ANY KIND SHALL BE ERECTED OR SITUATED ON ANY LOT HEREIN, EXCEPT THAT USED BY A BUILDER DURING THE CONSTRUCTION OF A RESIDENTIAL BUILDING ON THE PROPERTY, WHICH TEMPORARY CONSTRUCTION STRUCTURES SHALL BE PROMPTLY REMOVED UPON COMPLETION OF CONSTRUCTION OF THE BUILDING.

BUILDING LOCATION: NO BUILDING OR STRUCTURE SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE OR NEARER TO THE SIDE STREET LOT LINE (CORNER LOTS) THAN THE MINIMUM BUILDING SETBACK LINES AS SHOWN ON THE WITHIN PLAT.

EASEMENTS: THERE ARE STRIPS OF GROUND AS SHOWN ON THE WITHIN PLAT MARKED D.U. & S.E. (DRAINAGE, UTILITY AND SEWER EASEMENT) WHICH ARE RESERVED FOR THE USE OF PUBLIC UTILITY COMPANIES, INCLUDING CABLE TELEVISION COMPANIES, BUT NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLATION AND MAINTENANCE OF MAINS, DUCTS, POLES, LINES, WIRES, SEWERS AND DRAINS, SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES, AND TO THE EASEMENTS HERIN RESERVED. NO PERMANENT OR OTHER STRUCTURES SHALL BE ERECTED OR MAINTAINED ON SAID STRIPS EXCEPT FOR FENCES, DRIVEWAYS AND WALKWAYS. THE OWNERS OF SUCH LOTS IN THIS ADDITION, HOWEVER, SHALL TAKE THEIR TITLE SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES AND OTHER OWNERS OF SAID LOTS IN THIS ADDITION TO SAID EASEMENTS HERIN GRANTED FOR INGRESS AND EGRESS IN, ALONG AND THROUGH THE STRIPS SO RESERVED.

THERE SHALL BE A TEN (10) FOOT DRAINAGE, UTILITY AND SEWER EASEMENT ON THE FRONT OF EACH LOT UNLESS OTHERWISE NOTED (SAID 10' D.U. & S.E. APPLIES TO BOTH FRONTAGES ON CORNER LOTS).

PRESERVATION LANDSCAPE EASEMENTS: THERE ARE AREAS OF GROUND ON THIS PLAT MARKED "PRESERVATION LANDSCAPE EASEMENTS" WHICH ARE HEREBY CREATED AND RESERVED FOR THE USE OF DEVELOPER DURING THE DEVELOPMENT PERIOD FOR ACCESS TO AND THE INSTALLATION, MAINTENANCE, REPAIR AND REPLACEMENT OF FOLIAGE, LANDSCAPING AND SCREENING MATERIALS AND OTHER IMPROVEMENTS REQUIRED BY GOVERNMENTAL REGULATORY REQUIREMENTS; NO PERMANENT STRUCTURE IMPROVEMENT OR SEMI-PERMANENT STRUCTURE SUCH AS SHING SETS AND OTHER ACCESSORY ITEMS SHALL BE PLACED, STORED, ERECTED, OR MAINTAINED OR UPON SAID "PRESERVATION LANDSCAPE EASEMENTS" AND SAID PRESERVATION LANDSCAPE EASEMENTS SHALL BE LEFT IN THEIR NATURAL STATE, UNDISTURBED. THE OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE AND HOLD TITLE TO THE LOTS SUBJECT TO THE PRESERVATION LANDSCAPE EASEMENTS HERIN CREATED AND RESERVED.

SIGHT DISTANCE AT INTERSECTIONS: NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBLUCCTS SIGHT LINES AT ELEVATIONS BETWEEN 2 AND 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 CONNECTING 20 FEET 20 FEET FROM THE INTERSECTION OF SAID STREET LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS 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 INTERSECTION UNLESS THE FOLIAGE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF THE SIGHT LINE.

DRIVEWAYS: ALL DRIVEWAYS WILL BE PAVED BY THE BUILDER AT THE TIME OF ORIGINAL CONSTRUCTION. MAINTENANCE OF DRIVEWAYS THEREAFTER, INCLUDING ANY RESURFACING OR REPAVING, SHALL CONFORM WITH AND BE UNIFORM TO THE SURFACE PROVIDED AT THE TIME OF ORIGINAL CONSTRUCTION.
TEMPORARY STRUCTURES: NO TRAILERS, SHACKS, OUTHOUSES, DETACHED STORAGE SHEDS OR TOOL SHEDS OF ANY KIND SHALL BE ERECTED OR Situated ON ANY LOT THEREIN, EXCEPT THAT USED BY A BUILDER DURING THE CONSTRUCTION OF A RESIDENTIAL BUILDING ON THE PROPERTY, WHICH TEMPORARY CONSTRUCTION STRUCTURES SHALL BE PROMPTLY REMOVED UPON COMPLETION OF CONSTRUCTION OF THE BUILDING.

BUILDING LOCATION: NO BUILDING OR STRUCTURE SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE OR NEARER TO THE SIDE STREET LOT LINE (CORNER LOTS) THAN THE MINIMUM BUILDING SETBACK LINES AS SHOWN ON THE WITHIN PLAT.

EASEMENTS: THERE ARE STRIPS OF GROUND AS SHOWN ON THE WITHIN PLAT MARKED D.U. & S.E. (DRAINAGE, UTILITY AND SEWER EASEMENT) WHICH ARE RESERVED FOR THE USE OF PUBLIC UTILITY COMPANIES, INCLUDING CABLE TELEVISION COMPANIES, BUT NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLATION AND MAINTENANCE OF MAINS, DUCTS, POLES, LINES, WIRES, SEWERS AND DRAINS, SUBJECT TO ALL TIMES TO THE PROPER AUTHORITIES, AND TO THE EASEMENTS HEREIN RESERVED. NO PERMANENT OR OTHER STRUCTURES SHALL BE ERECTED OR MAINTAINED ON SAID STRIPS EXCEPT FOR FENCES, DRIVEWAYS AND WALKWAYS. THE OWNERS OF SUCH LOTS IN THIS ADDITION, HOWEVER, SHALL TAKE THEIR TITLE SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES AND OTHER OWNERS OF SAID LOTS IN THIS ADDITION TO SAID EASEMENTS HEREIN GRANTED FOR INGRESS AND EGRESS IN, ALONG AND THROUGH THE STRIPS SO RESERVED.

THERE SHALL BE A TEN (10) FOOT DRAINAGE, UTILITY AND SEWER EASEMENT ON THE FRONT OF EACH LOT UNLESS OTHERWISE NOTED (SAID 10' D.U. & S.E. APPLIES TO BOTH FRONTAGES ON CORNER LOTS).

PRESERVATION LANDSCAPE EASEMENTS: THERE ARE AREAS OF GROUND ON THIS PLAT MARKED "PRESERVATION LANDSCAPE EASEMENTS" WHICH ARE HEREBY CREATED AND RESERVED FOR THE USE OF DEVELOPER DURING THE DEVELOPMENT PERIOD FOR ACCESS TO AND THE INSTALLATION, MAINTENANCE, REPAIR AND REPLACEMENT OF FOLIAGE, LANDSCAPING AND SCREENING MATERIALS AND OTHER IMPROVEMENTS REQUIRED BY GOVERNMENT AGENCIES; NO PERMANENT STRUCTURE IMPROVEMENT OR SEMI-PERMANENT STRUCTURE SUCH AS SWING SETS AND OTHER ACCESSORY ITEMS SHALL BE PLACED, STORED, ERECTED, OR MAINTAINED IN OR UPON SAID "PRESERVATION LANDSCAPE EASEMENTS" AND SAID PRESERVATION LANDSCAPE EASEMENTS SHALL BE LEFT IN THEIR NATURAL STATE, UNDISTURBED. THE OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE AND HOLD TITLE TO THE LOTS SUBJECT TO THE PRESERVATION LANDSCAPE EASEMENTS HEREBY CREATED AND RESERVED.

SIGHT DISTANCE AT INTERSECTIONS: NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN 2 AND 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 CONNECTING POINTS 25 FEET FROM THE INTERSECTION OF SAID STREET LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS 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 INTERSECTION UNLESS THE FOLIAGE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF THE SIGHT LINE.

DRIVEWAYS: ALL DRIVEWAYS WILL BE PAVED BY THE BUILDER AT THE TIME OF ORIGINAL CONSTRUCTION. MAINTENANCE OF DRIVEWAYS THEREAFTER, INCLUDING ANY RESURFACING OR REPAIRING, SHALL CONFORM WITH AND BE UNIFORM TO THE SURFACE PROVIDED AT THE TIME OF ORIGINAL CONSTRUCTION.

SIDEWALKS: EACH RESIDENCE CONSTRUCTED ON A LOT SHALL HAVE A CONTINUOUS SIDEWALK FROM THE DRIVEWAY TO THE FRONT PORCH.

SIGNS: NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT, EXCEPT THAT ONE SIGN OF NOT MORE THAN SIX (6) SQUARE FEET MAY BE DISPLAYED AT ANY TIME FOR THE PURPOSE OF ADVERTISING THE PROPERTY FOR SALE OR RENT, EXCEPT DEVELOPER MAY USE LARGER SIGNS DURING THE SALE AND DEVELOPMENT OF THIS SUBDIVISION. ANIMALS: NO FARM ANIMALS, FOOLS OR DOMESTIC ANIMALS FOR COMMERCIAL PURPOSES SHALL BE KEPT OR PERMITTED ON ANY LOT OR LOTS IN THIS SUBDIVISION. NO NOISY, 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 NEIGHBOURHOOD.
MOTOR VEHICLES AND TRAILERS: ALL MOTOR VEHICLES BELONGING TO MEMBERS OF A HOUSEHOLD SHALL HAVE PERMANENT PARKING SPACES IN GARAGES OR DRIVEWAYS AND NO DISABLED VEHICLE SHALL BE OPENLY STORED ON ANY RESIDENTIAL LOT. ONLY PASSENGER CARS, STATION WAGONS OR SMALL TRUCKS (PICKUP, VANS) SHALL BE REGULARLY PARKED IN RESIDENTIAL AREAS. ALSO, NO BOAT, TRAILER, CAMPER, OR MOTOR HUMVEE OF ANY KIND (INCLUDING, BUT NOT IN LIMITATION THEREOF, HOUSE TRAILERS, CAMPER TRAILERS, OR BOAT TRAILERS) SHALL BE KEPT OR PARKED UPON SAID LOT EXCEPT WITHIN A GARAGE OR OTHER APPROVED STRUCTURE.

CLOTHES LINES: NO CLOTHES LINES SHALL BE PERMITTED.

TRASH AND WASTE: NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR TRASH. RUBBISH, GARBAGE OR OTHER WASTE SHALL BE KEPT IN SANITARY CONTAINERS. ALL EQUIPMENT FOR STORAGE OR DISPOSAL OF SUCH MATERIALS SHALL BE KEPT CLEAN AND SHALL NOT BE STORED ON ANY LOT IN OPEN PUBLIC VIEW. ALL RUBBISH, GARBAGE OR OTHER WASTE SHALL BE REGULARLY REMOVED FROM A LOT AND SHALL NOT BE ALLOWED TO ACCUMULATE THEREON.

STORAGE TANKS: ANY GAS OR OIL STORAGE TANKS USED IN CONNECTION WITH A LOT SHALL BE EITHER BURIED OR LOCATED IN A GARAGE OR HOUSE SUCH THAT THEY ARE COMPLETELY CONCEALED FROM PUBLIC VIEW.

ANTENNAS: NO ANTENNA IN THIS SUBDIVISION SHALL EXCEED FIVE (5) FEET ABOVE A ROOF PEAK.

SATELLITE DISHES: NO SATELLITE DISHES SHALL BE INSTALLED OR PERMITTED IN THIS SUBDIVISION.

GUTTERS AND DOWNSPOUTS: ALL GUTTERS AND DOWNSPOUTS IN THIS SUBDIVISION SHALL BE PAINTED OR OR COLORED MATERIAL OTHER THAN GREY GALVANIZED.

AWNINGS: NO METAL, FIBERGLASS OR SIMILAR TYPE MATERIAL AWNINGS OR PATIO COVERS SHALL BE PERMITTED IN THIS SUBDIVISION.

SWIMMING POOLS: NO ABOVE-GROUND SWIMMING POOLS SHALL BE PERMITTED IN THIS SUBDIVISION.

SOLAR HEAT PANELS: NO SOLAR HEAT PANELS SHALL BE PERMITTED ON ROOFS OF ANY STRUCTURES IN THIS SUBDIVISION. ALL SUCH PANELS WILL BE ENCLOSED WITHIN FENCED AREA AND SHALL BE CONCEALED FROM THE VIEW OF NEIGHBORING LOTS AND THE STREETS.

MODULAR HOMES: MODULAR HOMES SHALL NOT BE PERMITTED IN THIS SUBDIVISION.

STREET ACCESS: ALL LOTS SHALL BE ACCESSED FROM THE INTERIOR STREETS OF THIS SUBDIVISION. NO ACCESS IS PERMITTED FROM INLAND DRIVE.

DRAINAGE: IT SHALL BE THE RESPONSIBILITY OF THE OWNER OF ANY LOT OR PARCEL OF LAND WITHIN THE AREA OF THIS PLAT TO COMPLY AT ALL TIMES WITH THE PROVISIONS OF THE DEVELOPMENT PLAN (GRADING PLAN) AS APPROVED FOR THIS PLAT BY THE CITY OF INDIANAPOLIS, AND THE REQUIREMENTS OF ALL DRAINAGE PERMITS ISSUED FOR ANY LOT OR PARCEL OF LAND WITHIN THIS PLAT.

STORM WATER DRAINAGE: IN THE EVENT STORM WATER DRAINAGE FROM ANY LOT OR LOTS FLOW ACROSS ANOTHER LOT, PROVISION SHALL BE MADE TO PERMIT SUCH DRAINAGE TO CONTINUE WITHOUT RESTRICTION OR REDUCTION (ARTIFICIAL AND/OR NATURAL) 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 THE WITHIN PLAT.

WATER AND SEWAGE: NO PRIVATE OR SEMI-PRIVATE WATER SUPPLY AND/OR SEWAGE DISPOSAL SYSTEM (SEPTIC TANKS, ABSORPTION FIELDS, OR ANY OTHER METHOD OF SEWAGE DISPOSAL) SHALL BE LOCATED OR CONSTRUCTED ON ANY LOT OR LOTS WITHIN ADDITION.

NON-EXCLUSIVE EASEMENT: WHENEVER A BUILDING IS CONSTRUCTED SO AS TO BE SUBSTANTIALLY CONTIGUOUS WITH A SIDE LOT LINE, THEN TO THE EXTENT NECESSARY, THE OWNER OF SUCH LOT IS HEREBY GRANTED A THREE (3) FOOT ACCESS EASEMENT UPON THE ADJOINING LOT FOR MAINTENANCE AND FOR ENCROACHMENTS BY WALLS, EYES, ROOF OVERHANG, GUTTERS AND THE LIKE. SAID NON-EXCLUSIVE EASEMENT IS HEREBY GRANTED, AS NECESSARY OR APPROPRIATE, FOR UNDERGROUND UTILITY LINES AND UTILITY SERVICE WITHIN SAID THREE (3) FOOT EASEMENT AND CONLD NON-EXCLUSIVE EASEMENT SHAL IN FAVOR OF THE OWNERS OF SAID LOTS AND TO ALL PUBLIC, PRIVATE, AND NONPUBLIC UTILITY COMPANIES (INCLUDING CABLE TELEVISION AND THE LIKE) PROVIDED, THERE SHALL BE MAINTAINED A MINIMUM DISTANCE BETWEEN BUILDINGS OF 10', AND A MINIMUM DISTANCE BETWEEN BUILDINGS PACKING UP TO EACH OTHER OF 20'.
SHALL BE PAINTED OR OF A COLORED MATERIAL OTHER THAN GREY GALVANIZED.

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STREET ACCESS: ALL LOTS SHALL BE ACCESSED FROM THE INTERIOR STREETS OF THIS SUBDIVISION. NO ACCESS IS PERMITTED FROM INLAND DRIVE.

DRAINAGE: IT SHALL BE THE RESPONSIBILITY OF THE OWNER OF ANY LOT OR PARCEL OF LAND WITHIN THE AREA OF THIS PLAT TO COMPLY AT ALL TIMES WITH THE PROVISIONS OF THE DEVELOPMENT PLAN (GRADING PLAN) AS APPROVED FOR THIS PLAT BY THE CITY OF INDIANAPOLIS, AND THE REQUIREMENTS OF ALL DRAINAGE PERMITS ISSUED FOR ANY LOT OR PARCEL OF LAND WITHIN THIS PLAT.

STORM WATER DRAINAGE: IN THE EVENT STORM WATER DRAINAGE FROM ANY LOT OR LOTS FLOW ACROSS ANOTHER LOT, PROVISION SHALL BE MADE TO PERMIT SUCH DRAINAGE TO CONTINUE WITHOUT RESTRICTION OR REDUCTION (ARTIFICIAL AND/OR NATURAL) FROM ONE LOT TO ANOTHER CROSS THE MAINSTREAM LOT AND INTO THE NATURAL DRAINAGE CHANNEL OR COURSE, EVEN THOUGH NO SPECIFIC DRAINAGE EASEMENT FOR SUCH FLOW OF WATER IS PROVIDED ON THE WITHIN PLAT.

WATER AND SEWAGE: NO PRIVATE OR SEMI-PRIVATE WATER SUPPLY AND/OR SEWAGE DISPOSAL SYSTEM (SEPTIC TANKS, ABSORPTION FIELDS, OR ANY OTHER METHOD OF SEWAGE DISPOSAL) SHALL BE LOCATED OR CONSTRUCTED ON ANY LOT OR LOTS WITHIN ADDITION.

NONEXCLUSIVE EASEMENT: WHenever A BUILDING Is CONSTRUCTED SO AS TO BE SUBSTANTIALLY CONTIGUOUS WITH A SIDE LOT LINE, THEN TO THE EXTENT NECESSARY, THE OWNER OF SUCH LOT IS HEREBY GRANTED A THREE (3) FOOT ACCESS EASEMENT UPON THE ADJACENT LOT FOR MAINTENANCE AND FOR ENCORCHMENTS BY WALLS, EYES, ROOF OVERHANGS, GUTTERS AND THE LIKE. SAID NONEXCLUSIVE EASEMENT IS HEREBY GRANTED, AS NECESSARY OR APPROPRIATE, FOR UNDERGROUND UTILITY LINES AND UTILITY SERVICE WITHIN SAID THREE (3) FOOT EASEMENT AND SAID NONEXCLUSIVE EASEMENT SHALL RUN IN FAVOR OF THE OWNERS OF SAID LOTS AND TO ALL PUBLIC, PRIVATE, AND MUNICIPAL UTILITY COMPANIES (INCLUDING CABLE TELEVISION AND THE LIKE); PROVIDED, THERE SHALL BE MAINTAINED A MINIMUM DISTANCE BETWEEN BUILDINGS OF 10', AND A MINIMUM DISTANCE BETWEEN BUILDINGS BACKING UP TO EACH OTHER OF 20'.


ENFORCEMENT: THE RIGHT TO ENFORCE THE WITHIN PROVISIONS, RESTRICTIONS AND COVENANTS BY INJURY WITH THE RIGHT TO CAUSE REMOVAL BY DUE PROCESS OF LAW OF ANY SEPTIC TANK, ABSORPTION BED OR STRUTURE ERECTED OR MAINTAINED IN VIOLATION THEREOF IS HEREBY DEDICATED AND RESERVED TO THE OWNERS OF THE SEVERAL LOTS IN THIS SUBDIVISION, THEIR HEIRS AND ASSIGNS, AND WHO SHALL BE ENTITLED TO SUCH RELIEF WITHOUT BEING REQUIRED TO SHOW ANY DAMAGE OF ANY KIND TO ANY SUCH WATER OR OWNERS BY OR THROUGH ANY SUCH VIOLATION OR ATTEMPTED VIOLATION.
THE METROPOLITAN DEVELOPMENT COMMISSION, ITS SUCCESSORS AND ASSIGNS, SHALL HAVE NO RIGHT, POWER OR AUTHORITY, TO ENFORCE ANY COVENANTS, COMMITMENTS, RESTRICTIONS OR OTHER LIMITATIONS CONTAINED IN THIS PLAT OTHER THAN THOSE COVENANTS, COMMITMENTS, RESTRICTIONS OR LIMITATIONS THAT EXPRESSLY RUN IN FAVOR OF THE METROPOLITAN DEVELOPMENT COMMISSION: PROVIDED FURTHER, THAT NOTHING HEREIN SHALL BE CONSTRUED TO PREVENT THE METROPOLITAN DEVELOPMENT COMMISSION FROM ENFORCING ANY PROVISIONS OF THE SUBDIVISION CONTROL ORDINANCE, SS-AD-3, AS AMENDED, OR ANY CONDITIONS ATTACHED TO APPROVAL OF THIS PLAT BY THE PLAT COMMITTEE.

TERM: THE WITHIN COVENANTS, LIMITATIONS, AND RESTRICTIONS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES CLAIMING UNDER THEM. THESE COVENANTS SHALL BE IN FULL FORCE AND EFFECT FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM RECORDING DATE, AT WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS BY VOTE OF THE MAJORITY OF THE THEN OWNERS OF THE LOTS, IT IS AGREED TO CHANGE THE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

THESE PLAT RESTRICTIONS ARE FURTHER SUBJECT TO A DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED AS INSTRUMENT ___ IN THE OFFICE OF THE RECORDER, MARION COUNTY, INDIANA.  

A. Minimum Living Space Areas. The minimum square footage of living space of dwellings constructed on various residential lots in "Sunset at Eagle Creek Section IV", exclusive of porches, terraces, garages, carports, accessory buildings, or basements, shall be 800 square feet of living area for a one-story structure 600 square feet of minimum main floor area if higher than one-story, and each dwelling shall have a one-car garage and paved drive.

B. Residential Setback Requirements.

1. Definitions. "Side line" means a lot boundary line that extends from the street on 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 with, the road on which the lot abuts, except that on corner lots, it may be determined from either abutting road.

2. Front Yards. The front building setback lines shall be ten (10) feet.

3. Side Yards. The side yard setbacks shall maintain a minimum distance between primary buildings (measured between foundation wall plates) of not less than ten (10) feet.

IN WITNESS WHEREOF, C.P. MORGAN CO., INC., BY WILLIAM B. BLAKE, VICE-PRESIDENT HAVE HERETO CAUSED ITS AND THEIR NAMES TO BE SUBSCRIBED THIS DAY OF , 1987.

C.P. MORGAN CO., INC.

WILLIAM B. BLAKE, VICE-PRESIDENT

STATE OF INDIANA )
COUNTY OF MARION )


NOTARY PUBLIC /
A. Minimum Living Space Areas. The minimum square footage of living space of dwellings constructed on various residential lots in "Sunset at Eagle Creek Section IV", exclusive of porches, terraces, garages, carports, accessory buildings, or basements, shall be 400 square feet of living area for a one-story structure and 600 square feet of minimum main floor area for higher than one-story, and each dwelling shall have a one-car garage and paved drive.

B. Residential Setback Requirement.

1. Definitions. "Side line" means a lot boundary line that extends from the street on 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 with, the road on which the lot abuts, except that on corner lots, it may be determined from either abutting road.

2. Front Yards. The front building setback lines shall be ten (10) feet.

3. Side Yards. The side yard setbacks shall maintain a minimum distance between primary buildings (measured between foundation wall plates) of not less than ten (10) feet.

IN WITNESS WHEREOF, C.P. MORGAN CO., INC., BY WILLIAM B. BLAKE, VICE-PRESIDENT HAVE HERETO CAUSED ITS AND THEIR NAMES TO BE SUBSCRIBED THIS _5_ DAY OF _APRIL_, 1987.

C.P. MORGAN CO., INC.

WILLIAM B. BLAKE, VICE-PRESIDENT

STATE OF INDIANA )
COUNTY OF MARION )


WITNESS MY SIGNATURE AND NOTARIAL SEAL THIS _5_ DAY OF _APRIL_, 1987.

NOTARY PUBLIC

MY COMMISSION EXPIRES _7_ COUNT OF RESIDENCE _6_

THIS INSTRUMENT PREPARED BY BRIAN J. TOHY ATTORNEY AT LAW