WELLINGTON

The undersigned, WEIHE DEVELOPMENT CORP., by Allan H. Weih, President, and Joyce H. Weih, Secretary, of Hamilton County, in the State of Indiana, being the owners of record of all of the within described lots, do hereby divide into streets such tracts and do hereby dedicate for public use any of such streets not previously dedicated, in accordance with the within plat. The following restrictions, limitations, and covenants are hereby imposed and shall run with the land contained in such plats.

The within plat shall be known and designated as WELLINGTON ESTATES, a subdivision in Noblesville Township, Hamilton County, in the State of Indiana.

All lots in this subdivision are reserved for residential use, and no building other than a one-family residence or structure or facility accessory in use thereto shall be erected thereon.

Not more than one building shall be erected or used for residential purposes on any lot in this subdivision.

The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than one thousand five hundred (1500) square feet in the case of a one-story structure, and not less than nine hundred (900) 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 one thousand eight hundred (1800) square feet of first finished and livable finished floor area. All garages shall be attached to the residence dwelling and be a minimum of two car size.

No trailer, tent, shack, attached shed, basement, garage, or temporary building shall be used for temporary or permanent residence on any lot in this subdivision. An attached garage, tool shed, or detached storage building erected or used as an accessory to a residence in this subdivision shall be of a permanent type of construction and conform to the general architecture and appearance of such residence.

No fences shall be erected in this subdivision between the building lines and the right-of-way lines of the streets as shown on the within plat, except with approval of the Architectural Control Committee, which fences shall not exceed 42 inches in height and shall be of a decorative nature.

No building, structure or accessory building shall be erected closer to the sideline of any lot then ten (10) feet. Where buildings are erected on more than one single lot, this restriction shall apply to the sidelines of the extreme boundaries of the multiple lots.

No structure in this subdivision shall exceed 2 and 1/2 stories or twenty-five (25) feet in height measured from finished grade to the upper side of the eave line, and no structure other than an open porch shall be erected between the building lines and the right-of-way lines of the streets as designated on the within plat.

The building shall be erected, placed or altered on any building lot in this subdivision until the building plans, specifications and the plat plans showing the location of such building have been approved as to the conformity of design with existing structures herein and to the building with respect to topography and finished ground elevation, by the Architectural Control Committee composed of the undersigned owners of the within described real estate, or by their duly authorized representatives. In the event of the death or resignation of any member of the 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 plans submitted to it for its approval within a period of fifteen (15) days from the date of submission, the plans may be approved by the Architectural Control Committee, or by a duly authorized representative thereof.

Neither the committee members or the designated representatives shall be entitled to any compensation for services performed pursuant to this plat covenant.

The utility easements shown on the within plat are reserved as an easement for use by the city or county in which this subdivision is located, owners in this subdivision, and public utility companies for the installation, use, maintenance, repair, and removal of sewers, water mains, utility poles, wires and other facilities and utilities necessary or incidental to the common welfare and use and occupancy for residential purposes of the houses to be erected in this subdivision. No building or other structure, except walks or driveways, shall be erected upon, over, under, or across any such utility easement for any use except as set forth herein. The owners in this subdivision shall have their title to the land contained in such utility easement subject to the perpetual easement herein reserved.

The Cable Television Easements shown on the within plat reserve for the approved franchised 'Company' and its successors and assigns, forever, the easement from time to time hereafter to erect, install, lay, use, maintain, replace, increase or decrease the size of and remove coaxial cable and other fixtures and apparatuses for the purpose of transmitting and distributing radio and television signals by way of said coaxial cable, on, over, under, and across said easement. This also includes the right of ingress and egress for all purposes incident to such easement, and the 'Company' is hereby granted the express right to make clearances of brush and debris from said easement in order to successfully install and maintain said coaxial cable. The owners in this subdivision shall have their title to the land contained in such cable television easement subject to the perpetual easement herein reserved.

The drainage easements shown on the within plat are reserved for the drainage of storm water, whether by vault, ditch, or storm sewer. No structure other than a storm drainage structure shall be erected in, on, over, under, or across any such easement; except that a drainage easement may also be used as a utility easement, and structures permitted in a utility easement may be erected therein, provided that they do not interfere with the flow of water. The owners in this subdivision shall have their title to the land contained in such drainage easements subject to the perpetual easement herein reserved.

In the event storm water drainage from any lot or lots flows across another lot, provision shall be made to permit such drainage to continue without restriction or reduction, across the downstream lot and into the natural drainage channel or course, even though no specific drainage easement for such flow of water is presented on the within plat.

Easement Maintenance: On drainage easements, the City of Noblesville shall be responsible for the care, maintenance, repair and/or replacement of actual structures in place, such as sewer pipes, manholes, castings, etc., and each property owner as it pertains to his lot or lots shall maintain surface drainage systems and open ditches. The City shall have access rights over and across said easements.

No lot in this subdivision shall be used or maintained as a dumping ground for rubbish, trash, or any other waste material, and no brush, limbs, or debris shall be burned on or near any lot.
Witness our signature this 18th day of December, 1987.

[Signatures]

Allen H. Wehe, President
Joyce M. Wehe, Secretary
10505 N. College Avenue
Indianapolis, Indiana, 46280

STATE OF INDIANA

COUNTY OF HAMILTON

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared
Alfred H. Wehe, President of WEHE DEVELOPMENT CORPORATION, by Allan H. Wehe, and Joyce M. Wehe, who acknowledged the execution of the foregoing instrument as their voluntary act and deed for the uses and purposes therein expressed.

Witness my Hand and Notarial Seal this 18th day of December, 1987.

[Signature]

Larry K. Shimer
Secretary
County of Residence: Hamilton
My Commission expires March 12, 1989

PLAN COMMISSION CERTIFICATE:

Under the authority provided by INDIANA CODE 36-7-4, this plat was given approval by this Plan Commission of the City of Noblesville, Indiana at a meeting held on the 29th day of April, 1987.

ADOPTED BY THE TECHNICAL COMMITTEE AT A MEETING HELD 4/9/87

NOBLESVILLE CITY PLAN COMMISSION

Tina R. Stevans, Secretary
Karen Goldstein, President

BOARD OF PUBLIC WORKS AND SAFETY'S CERTIFICATE:

THIS PLAT WAS GIVEN APPROVAL BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF NOBLESVILLE, INDIANA, AT A MEETING HELD ON THE 18th DAY OF DECEMBER, 1987

[Signatures]

Patricia A. Logan
Marilyn Conner, Clerk-Treasurer


[Signature]

Tim R. Stevans, Director of Planning and Development

DATE: 12 December, 1987

COUNTY COMMISSIONER'S CERTIFICATE

UNDER AUTHORITY PROVIDED BY INDIANA CODE 36-7-3, THIS PLAT WAS GIVEN APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, INDIANA, AT A MEETING HELD 12 December, 1987

[Signatures]

Polly Pease, President
Phil Henderson, Member
Dolly Pearson, Member
Peg Goldberg, Member

DULY ENTERED FOR TAXATION

29 December, 1987

Polly Pearson, Auditor
The Cable Television Easements shown on the within plat reserve for the approved franchised "Company" and its successors and assigns, forever, the easement and right of time to time hereafter to erect, install, lay, use, maintain, replace, increase or decrease the size of and remove coaxial cable and other fixtures and appurtenances for the purpose of transmitting and distributing radio and television signals by way of said coaxial cable, on over, under, and across said easement. This also includes the right of ingress and egress for all purposes incident to such easement, and the "Company" is hereby granted the express right to make clearances of brush and debris from said easement in order to successfully install and maintain said coaxial cable. The owners in this subdivision shall take their title to the land contained in each cable television easement subject to the perpetual easement herein reserved.

The drainage easements shown on the within plat are reserved for the drainage of storm water, whether by soakage, ditch, or storm sewer. No structure other than storm water drainage structures, retaining walls, or elevated walks and driveways shall be erected in, on, over, under, or across any such easement, except that a drainage easement may also be used as a utility easement, and structures permitted in a utility easement may be erected therein, provided that they do not interfere with the flow of water. The owners in this subdivision shall take their title to the land contained in each drainage easement subject to the perpetual easement herein reserved.

In the event storm water drainage from any lot or lots flows across another lot, provision shall be made to parallel such drainage to continue without restriction or reduction, 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 plat within plat.

Easement Maintenance: On drainage easements, the City of Noblesville shall be responsible for the care, replacement, repair, and/or replacement of actual structures in place, such as sewer pipes, manholes, castings, etc., and each property owner as it pertains to his lot or lots shall maintain surface drainage systems and open ditches. The City shall have access rights over and across said easements.

No lot in this subdivision shall be used or maintained as a dumping ground for rubbish, trash, garbage, or other waste, and such items shall not be kept, except in sanitary containers.

No campers, trailers, boats, or similar vehicles shall be parked on any lot in this subdivision unless the same shall be parked in such a manner that it is not visible to the occupants of other lots in this subdivision or the users of any streets in this subdivision.

All lot owners shall provide sufficient living space and that no animal, livestock or poultry of any description shall be raised, bred, or kept on any lot, except that dogs, cats, or other household pets may be kept, provided that they are not kept, bred or maintained for commercial purposes.

It shall be the duty of the owner of each lot in this subdivision to keep the grass on the lot properly cut and to keep the lot free from weeds and trash and otherwise neat and attractive in appearance. Should any owner fail to do so then the Developer may take such action as it deems appropriate in order to make the lot neat and attractive, and the owner shall upon demand reimburse the Developer for the expense incurred in so doing.
According to the undersigned, a Registered Land Surveyor in the State of Indiana, hereby certify the survey and subdivision of Part of the Northeast Quarter of Section 13, Township East in Noblesville Township, Hamilton County, Indiana, described as follows:

Beginning at the Southeast corner of the Northeast Quarter of Section 13, Township 18 North thence North 01 degrees 19 minutes 23 seconds West (assumed bearing) on the East line of said 701.25 feet; thence South 89 degrees 32 minutes 42 seconds West 768.67 feet to the centerline of the present Avenue (former State Road #37); thence South 25 degrees 52 minutes 39 seconds West to a point 22.04 feet North of and measured perpendicular to the South line of the plat; thence South 90 degrees 13 minutes 49 seconds East 1129.82 feet to the containing 15.33 acres, more or less.

Subject to the right-of-way of Allisonville Avenue (being also the right-of-way for former

Subject also, to an easement granted to the Northern Indiana Power Company as recorded in Book 201 in the Office of the Recorder of Hamilton County, Indiana.

Subject further to all other legal easements and rights-of-way.

This subdivision consists of 30 lots, numbered 1 through 30 both inclusive, and BLOCK "A", on the within plat. The size of the lots and the width of the street right-of-way is shown on the plat and conclusive parts thereof.

Witness my signature this 12th day of September 1987.

[Signature]

Allan H. Weihe, Reg. L.S. - Indiana #10399

This instrument prepared by Allan H. Weihe - Sheet 1 of

For Certificate of Correction 02-8-74