The undersigned, MANITOU CORPORATION, by Steven A. Holt, President, of Hamilton County in the State of Indiana, being the owner of record of all of the described tract of land, hereby lay off, plot and subdivide into lots and streets such tract and do hereby dedicate for public use such streets and alleys as previously mentioned, in accordance with said plat. The following restrictions, limitations, and covenants are hereby imposed and shall run with and be made a part of the land contained in such plat.

The within plat shall be known and designated as WELLINGTON OVERL, a subdivision in Hamilton County, 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 necessary 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 less than one thousand five hundred (1500) square feet. In the case of a one-story structure, not less than nine hundred (900) square feet in the case of a multiple story structure of more than one story shall be an aggregate of one thousand eight hundred (1800) square feet of finished and liveable floor area. All garages shall be attached to the residence dwelling and be a minimum of two car size.

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

No fence shall be erected in this subdivision, the building lines or the property lines of the streets as shown on the within plat, except with the written written, which fence shall not exceed 6' in height and shall be not in a decorative nature.

No building, structure or accessory building shall be erected closer to the side of any lot than 10 feet on the building line or 6 feet on the street line. These restrictions shall apply to the side lines of the extreme boundaries of the multiple lots.

No building shall be erected, placed or altered on any building plat in this subdivision unless the building lines, specifications and plat plan showing the location of the building has been approved by the City of Marion, State of Indiana. No property shall be subdivided or used in the building, and the same shall be subject to the approval of the Architectural Control Committee, composed of the architect, engineer, and other members of the City, or by their duly authorized representatives. In the event of any member of said committee, the retaining member or members shall have full authority to approve or disapprove each design and location, or to designate a representative with like authority, and the said committee shall act upon any plans submitted to it for its approval within a period of fifteen (15) days from the submission date of the plans. Any plan may proceed with the building, or the plan may be approved. Neither the committee nor the designated representative shall be entitled to any compensation for services performed pursuant to this covenant.

The utility easements shown on the within plat are reserved for the use of 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 electric, gas, water mains, utility poles, wires and other facilities and utilities necessary or incidental to the above utilities and use and occupancy for residential purposes as indicated in the plat. The utility easements shall be shown on the plat and no building shall be erected in violation of this restriction. No building or other structure, except wells and driveways, shall be erected on or within ten (10) feet of the street line and no structure shall be erected hereon or otherwise on such property except as hereinbelow, herein, and owners in this subdivision shall have the right to enter said property to do any work in connection with the use of water, or gas or other utility lines or for the purpose of right of way and force in all purposes incident to such easement, and the Company is hereby granted the right to lay or remove any improvements of this kind on any property and to enter the same for any purpose in connection with the same.

No campers, trailer, house, or similar vehicle shall be parked on any lot in this subdivision without the consent of the owner of such lot. An eight (8') high fence shall be required in any subdivision, the owner of which has not vacated the occupants of such lot in this subdivision, the owner of such lot in this subdivision.

All lot owners shall be required to install, or have installed, at least one gas or electric "淑 to door" yard light in the front.

The drainage easements shown on the within plat are reserved for the drainage of storm water or other like water and shall include maintenance, drainage and other like services thereunder. No structure other than storm water drainage structures, retaining walls, or elevated walk shall be erected in, on, around or above such drainage easement.所述 draining systems shall also be used as a utility strip, and structures permitted in a utility may be erected thereon. The utility strip shown on the plat is subject to the title to the land contained in such drainage easement subject to the perpetual easement herein reserved.

In the event storm water drainage from any lot or lots lines across another lot, provision shall be made to permit such drainage to continue without restriction of reduction. Any such drainage will be subject to the same requirements as for such other lot of water as is provided for said plat.

No animals, livestock, or poultry of any description shall be raised, bred, or kept on any lot except that one dog, cat, or other household pet 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 other like material in an appearance. No lots or buildings for the purpose of keeping livestock. No livestock on any lot or lots lines across another lot, provision shall be made to permit such drainage to continue without restriction of reduction. Any such drainage will be subject to the same requirements as for such other lot of water as is provided for said plat.

No livestock in this subdivision shall be used or maintained above a given ground level for rubbish, trash, garbage, or other waste, and shall not be kept, except in sanitary conditions.

No gravity flow from the basement of the residence shall be permitted, unless the sanitary main is a minimum of five (5') feet below the basement floor.
OVERLOOK

WHEREAS the Block "A" is shown on the plat and designated as "Common Area", those lots in the subdivision shall own equal and undivided interest in such areas as covenants in common, and it shall be the obligation of each owner in common with the other lot owners to contribute an equal share of the cost of maintenance of such "Common Area". Where a majority of lot owners elect to maintain said streets, sidewalks and curbs, each such lot owner paying such cost may file a lien for the reasonable value of labor performed and materials furnished, as described by the lien law of the State of Indiana against any such lot owner by suit to be filed and recovered the full assessment owed together with interest from due date and reasonable attorney's fees. The "Common Area" may contain utilities (private or public) to be served into the subdivision. Said "Common area" shall also be a utility, drainage, Cable TV or sanitary sewer easement.

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

It is further understood and agreed that pursuant to Burns Indiana Statute Section 68-53B-3-3.1 (2010) that as part of the consideration running to the City of Noblesville, the developer herein irrevocably releases its right and the right of its successors in title to remove any fencing or future attachment to the City of Noblesville.

The right to enforce the within restrictions, limitations, and covenants by injunction is hereby dedicated and reserved to owners of lots in this subdivision, their heirs and assigns, who shall be entitled to such relief without being required to show any damage in any way to any such owner or owner, or by or through any such violation or attempted violation. Said provisions shall be and continue in full force and effect for a period of twenty (20) years from the date of this plat, and thereafter unless and until by a vote of the lot owners of a two-thirds majority of the total lots in this subdivision it is agreed to change the covenants in whole or in part. Violation of any one of these covenants by judgment or court order shall be in no way affect any of the other provisions which shall remain in full force and effect.

Witness our signatures this 14 day of April, 1987.

[Signature]

[Signature]

Witness my Hand and Notarial Seal this 14 day of April, 1987.

[Signature]

My Commission Expires

FEB. 14, 1989

County of Residence: Marion

COMMISSION CERTIFICATE


ADOPTED BY THE TECHNICAL COMMITTEE AT A MEETING HELD ON 8 MAY 1984.

NOLIBESVILLE CITY PLAN COMMISSION

Secretary to the Department/President, Board of Public Works and Safety

BOARD OF PUBLIC WORKS AND SAFETY CERTIFICATE

THIS PLAT WAS GIVEN PUBLIC NOTICE OF INTENT TO FILE AND APPEAL OF THE DEPARTMENTAL COMMITTEE AT A HEARING HELD ON THE 3MAY 1984.

[Signature]

[Signature]

DATE: 8 MAY 1984.

This Instrument Prepared by Allen H. Urban

TRULY ENTERED FOR TAXATION

[Signature]

[Signature]