

FINAL PLAT FOR FOXMOOR SECTION II

COVENANTS

- PUBLIC STREETS** - The streets and public right-of-ways shown hereon, subject to construction standards and acceptance, are hereby dedicated to the public use, to be owned and maintained by the governmental body having jurisdiction.
- Drainage swales (ditches) along dedicated roadways and within the right-of-way, or on dedicated easements are not to be altered, dug out, filled in, tiled or otherwise changed without the written permission of the Greenwood Board of Public Works & Safety. Property owners must maintain these swales as sodded grassways, or other non-eroding surfaces. Water from roofs or parking areas must be contained on the property long enough so that said drainage swales or ditches will not be damaged by such water. Driveways may be constructed over these swales or ditches only when appropriate sized culverts or other approved structures have been permitted by the B.P.W. & S.
- Any property owner alternating, changing, damaging, or failing to maintain these drainage swales or ditches will be held responsible for such action and will be given 10 days notice by certified mail to repair such damage, after which time, if no action is taken, the B.P.W. & S. will cause said repairs to be accomplished and the bill for said repairs will be sent to the affected property owner for immediate payment. Failure to pay will result in a lien against the property.
- SIGHT DISTANCE AT INTERSECTIONS.**
 - No fence, wall, hedge, tree or shrub planting or other similar item which obstructs sight lines at elevation between 2.5 and 8 feet above the street, shall be permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points 25 feet from the intersection of said street lines (25 feet for minor streets and 50 feet for arterial streets), or in the case of a rounded property corner, from the intersection of the street right-of-way lines extended.
 - The same sightline limitations shall apply to any lot within 10 feet from the intersection of a street right-of-way line with the edge of a driveway pavement or alley line. No driveway shall be located within 40 feet of the intersection of two street centerlines or within 70 feet for corner lots.
- SETBACK LINES** - Building setback and rear building setback lines are hereby established on this plat; no building or structure shall be erected or maintained between the established setback lines and the property lines.
- UTILITY EASEMENTS** - The strips of ground shown on this plat and marked "Utility and Drainage Easement" (U.&D.E.) and "Utility Drainage and Sanitary Easement" (U.D.&S.E.) are reserved for the use of the public utilities for the installation of water and sewer mains, poles ducts, lines and wires and drainage facilitated subject at all times to the proper authorities and to the easement herein reserved. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities or which may change the direction of flow of drainage channels in the easements or which may obstruct or retard the flow of water through drainage channels in the easements. The easement area of each lot and all improvements thereon shall be maintained continuously by the owner of the lots, except for those improvements for which a public authority or utility is responsible.
- EASEMENTS** - The strips of ground shown on this plat and marked "Maintenance, Fire Protection and Drainage Easement" (M.F. & D.E.). This easement shall be a perpetual six (6) foot "Non-Buildable" maintenance, fire protection, and drainage easement on the neighboring lot adjacent to the zero lot line property line, which, with the exception of walls and/or fences, shall be kept clear of structures. This easement as shown on the plat shall be incorporated into each deed transferring title to the property. The exterior wall of the dwelling along the zero lot line shall be maintained in its original color and treatment unless otherwise agreed to in writing by the two effected lot owners. Roof overhangs may penetrate the easement on the adjacent lot a maximum of twenty-four (24) inches, but the roof shall be so designed that water runoff from the dwelling placed on or near the zero lot line is limited to the easement area.

COMMITMENTS

- The development of the real estate shall be accomplished in substantial accordance with a site plan and to be furnished with the Greenwood Plan Commission, in accordance with the requirements of said Commission as provided in a hearing under date of September 11, 1989.
- The real estate shall be developed with the following commitments as to use:
 - the area to be re-zoned to R-4 Residential - Attached Multi-Family use, shall have only single family detached dwellings;
 - the minimum size of any dwelling unit, excluding garages, is 1,200 square feet in the said R-4 area;
 - the said R-4 area shall be developed in accordance with the zero lot standards.
 - all along the west line of the said R-4 area, there shall be constructed and maintained in good condition, an opaque ornamental fence, wall or dense evergreen hedge having a height of not less than five (5) nor more than six (6) feet;
 - along the east line of the said R-4 area abutting the Whispering Trails Subdivision(s), there shall be landscape buffering placed and maintained at least to the extent provided for in the preliminary site plan.

The undersigned, owners of the real estate described herein, do hereby plat, layoff, and subdivide the above described real estate into public streets, lots, and easements as herein shown, subject to and pursuant to the rights in Declaration of Covenants, Conditions and Restrictions of Foxmoor, recorded on August 22nd, 1990 as Instrument No. 90011985 with the Office of the Recorder of Johnson County, Indiana. 62 p 808

Witness my signature this 29th day of March, 1994.

Copenhaver & Carter Developers, Inc.
637 S. State Road 135, Suite A
Greenwood, IN 46142

BY: William E. Carter, Sr.
President

BY: Dennis E. Copenhaver
Secretary - Treasurer

STATE OF INDIANA }
COUNTY OF JOHNSON } SS:

Before me, the undersigned, a notary public, in and for Johnson County, State of Indiana, personally appeared the above and acknowledged the execution of the foregoing instrument as his voluntary act and deed for the use and purpose therein expressed.

Witness my hand and seal this 29th day of March, 1994.

Barbara Rakon
Notary Public

Geneva Rakon

My Commission Expires:

1-25-97

My County of Residence:

Johnson

REQUIRED DEDICATION AND APPROVAL STATEMENT

This plat is hereby given secondary approval by the City of Greenwood, Johnson County, Indiana, to-wit:

SECONDARY APPROVAL is hereby granted by the Greenwood Advisory Plan Commission on the 16th day of August, 1990.

Kevin A. Hoover Designated Official - Plan Commission
Clinton C. Ferguson Attest - Director

BE IT RESOLVED by the Board of Public Works and Safety, City of Greenwood, Johnson County, Indiana, that the dedications shown on this plat are hereby approved and accepted this 29th day of April, 1994.

Margaret A. McConrad Mayor
Richard E. Heiney Member
Richard E. Heiney Member

ATTEST: Genevieve Worsham
Genevieve Worsham, Clerk-Treasurer

ENTERED FOR TAXATION THIS 11th DAY OF April, 1994

Betty E. Stringer
BETTY E. STRINGER, AUDITOR
JOHNSON COUNTY, INDIANA

NO. 94008462

RECEIVED FOR RECORD THIS 11th DAY OF April, 1994 AT 9:25 A.M. AND RECORDED IN PLAT BOOK 1c, PAGE 620 A.B.

FEE \$20.00

Jacqueline E. Keller
JACQUILINE F. KELLER, RECORDER
JOHNSON COUNTY, INDIANA

NOTE: Where the sanitary drainage system can discharge into the sewer by gravity flow, the lowest floor elevation where a plumbing fixture or floor drain is installed must be a minimum of 12 inches above the top of the lowest downstream or upstream manhole casting nearest to the subject lateral connection. Where part of the drainage system cannot be discharged to the sewer by gravity flow, this part of the system shall be discharged into a tightly covered and vented sump from which the contents shall be lifted and discharged into the building gravity drainage system a minimum of 12 inches above the top of the lowest downstream or upstream manhole casting nearest to the subject lateral connection.

PREPARED BY

MSE Engineering

MSE Corporation
941 North Meridian Street
Indianapolis, IN 46204-1061
317 634-1000
317 634-3576 FAX
M. S. E. JOB # 111-0439
SHEET 2 OF 2
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7-24-95 For Surveyor's Correction see Misc 68 pg 848