

JEFFERSON ESTATES II SECTION I CITY OF FRANKLIN, INDIANA

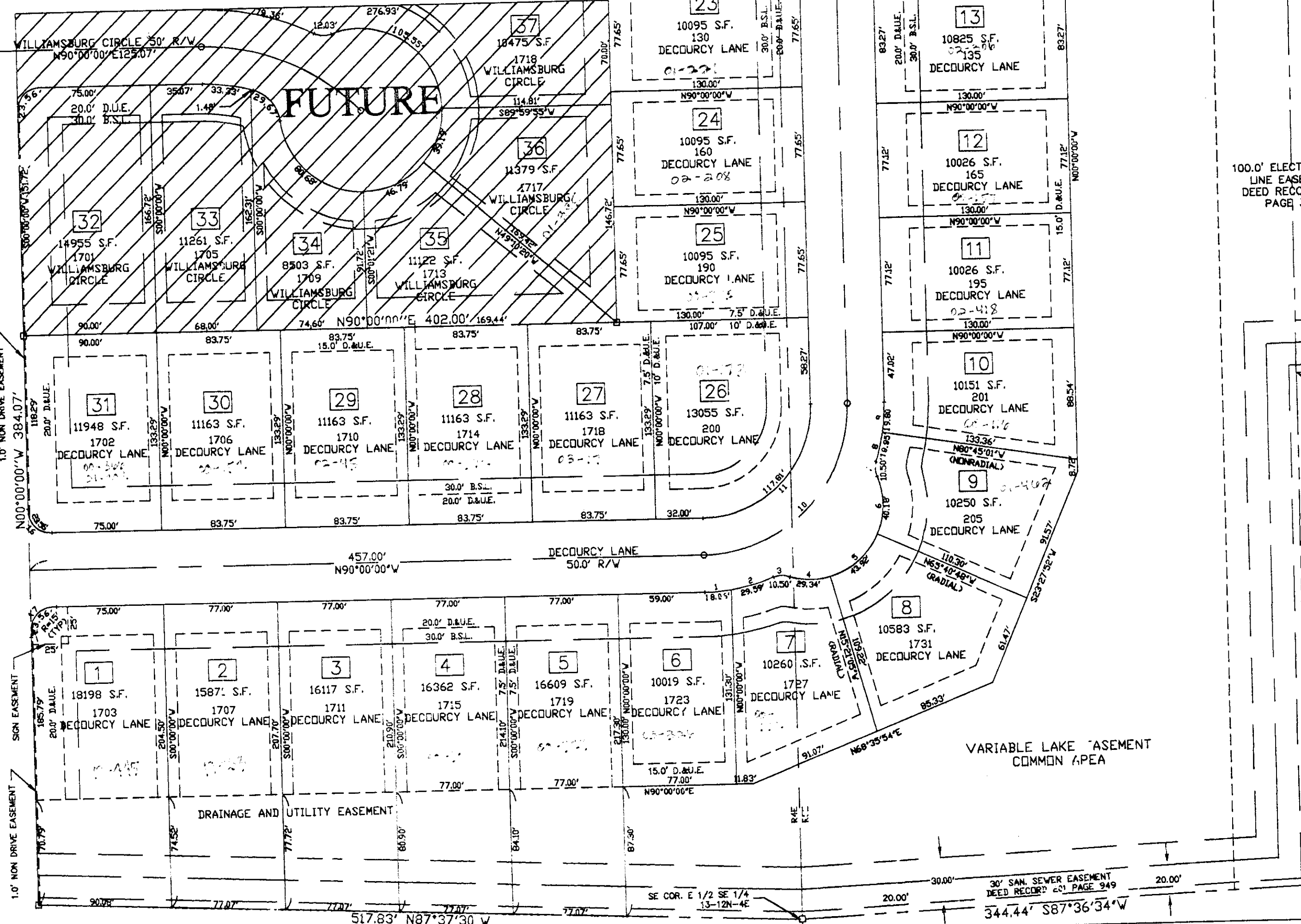
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD
1	08°16'46"	125.00	18.06	9.05	18.05
2	13°33'47"	125.00	29.59	14.86	29.52
3	40°06'46"	15.00	10.50	5.48	10.29
4	33°37'29"	50.00	29.34	15.11	28.92
5	50°19'33"	50.00	43.92	23.49	42.52
6	46°02'31"	50.00	40.18	21.25	39.11
7	40°06'46"	15.00	10.50	5.48	10.29
8	09°08'32"	125.00	19.95	9.99	19.92
9	09°04'25"	125.00	19.80	9.92	19.78
10	90°00'00"	100.00	157.08	100.00	141.42
11	90°00'00"	75.00	117.81	75.00	106.07
12	89°04'05"	15.00	23.32	14.76	21.04
13	90°55'55"	15.00	23.81	15.25	21.39
14	17°08'14"	202.83	60.67	30.56	60.44
15	07°53'10"	252.83	34.80	17.43	34.77
16	90°00'00"	15.00	23.56	15.00	21.21
17	90°00'00"	15.00	23.56	15.00	21.21

MORNINGSIDE OF FRANKLIN

WILLIAMSBURG LANE

EXISTING
JEFFERSON
ESTATES
SEC 1

DECCOURCY COURT



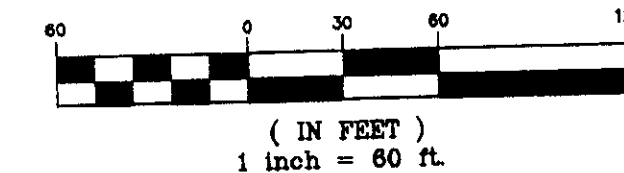
PROPOSED JEFFERSON POINTE

100.0' ELECTRIC POLE
LINE EASEMENT
DEED RECORD 103
PAGE 384

RICHARD E. AND ADELAIDE HOUGHMAN

D-233A

GRAPHIC SCALE



LEGEND

- = CENTERLINE MONUMENT
- = CONCRETE MONUMENT
- D.&U.E. = DRAINAGE AND UTILITY EASEMENT
- B.S.L. = BUILDING SET BACK LINE
- S.F. = SQUARE FEET
- ▨ = PROPOSED SECTION II

GENERAL NOTES:

ALL CURVE DIMENSIONS ARE ARC
LENGTHS UNLESS OTHERWISE NOTED.

7.5' DRAINAGE AND UTILITY EASEMENTS
TYPICAL UNLESS OTHERWISE NOTED.

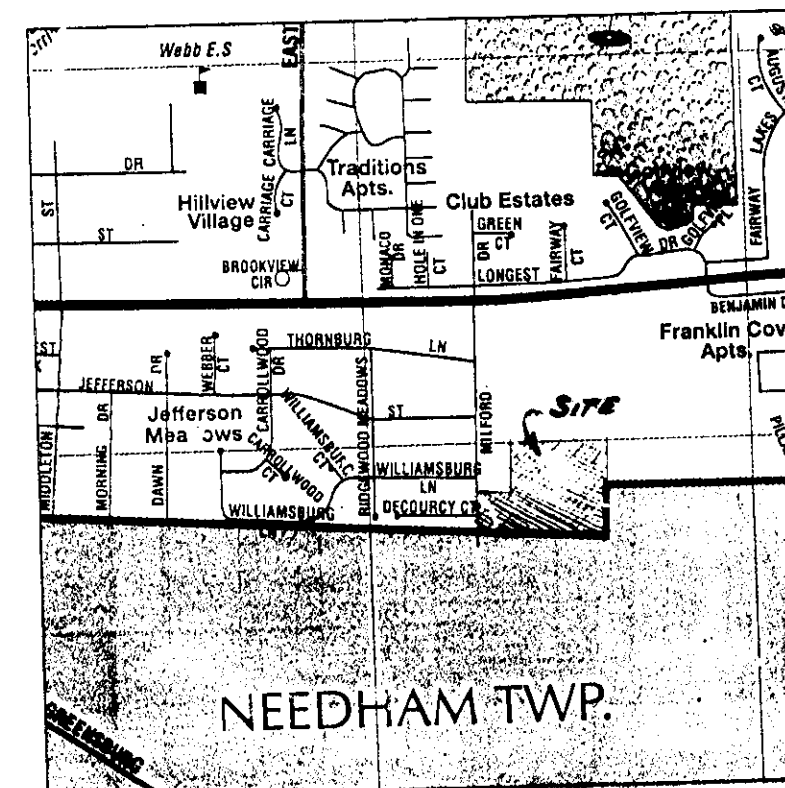
NO: 1999-027340

Received this 16th day of September 1999, at 1:59 PM
and recorded in Plat Book D, Page 233A-B

Fee: 23.00

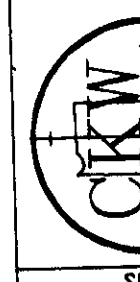
John Harmon
John Harmon, Recorder
Johnson County, Indiana

AREA MAP



PROJECT
JEFFERSON ESTATES II SECTION I,
CITY OF FRANKLIN, JOHNSON COUNTY, IN.

CKW LAND SURVEYING



WORK D:
990
AUGUST

D-233B

JEFFERSON ESTATES II SECTION I CITY OF FRANKLIN, INDIANA

LEGAL DESCRIPTION

I, Jerry D. Wiggins, hereby certify that I am a land surveyor, registered in compliance with the laws of the State of Indiana, and I do hereby further certify that I have subdivided the following described real estate into blocks and lots as shown on the herein drawn plat. This plat correctly represents said survey of a part of the Northeast quarter of Section 29 in Needham Township, Johnson County, Indiana, being more particularly described as follows:

PHASE ONE
Parts of the Southwest Quarter of Section 18 and the Northwest Quarter of Section 19 all in Township 12 North, Range 5 East; also parts of the Southeast Quarter of Section 13 and the Northeast Quarter of Section 24 all in Township 12 North, Range 4 East all of the Second Principal Meridian, Needham Township, Johnson County, Indiana, more particularly described as follows:

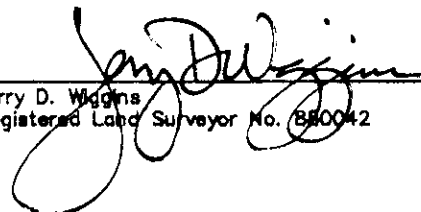
Commencing from the Southeast corner of the said Southwest Quarter of Section 18; thence South 89 degrees 04 minutes 13 seconds West (assumed bearing) 2165.22 feet to the Point of Beginning of this described tract; thence South 00 degrees 08 minutes 16 seconds West 346.20 feet; thence South 87 degrees 36 minutes 34 seconds West 344.40 feet; thence North 87 degrees 37 minutes 30 seconds West 517.63 feet; thence North 00 degrees 00 minutes 00 seconds East 354.07 feet; thence North 90 degrees 00 minutes 00 seconds East 402.00 feet; thence North 00 degrees 00 minutes 00 seconds East 545.70 feet to a non-tangential curve concave to the South, having a radius of 252.83 feet, a delta of 07 degrees 53 minutes 10 seconds subtended by a chord bearing of North 75 degrees 52 minutes 34 seconds East and a chord distance of 34.77 feet; thence an arc length of 34.80 feet along said curve to a point of reverse curvature concave to the North having a radius of 202.83 feet, a delta of 17 degrees 08 minutes 14 seconds subtended by a chord bearing North 80 degrees 30 minutes 06 seconds East and a chord distance of 60.44 feet; thence North easterly along said curve an arc length of 60.87 feet; thence North 89 degrees 04 minutes 13 seconds West 368.51 feet; thence South 00 degrees 08 minutes 16 seconds West 615.11 feet to the Point of Beginning containing 13.821 acres more or less.

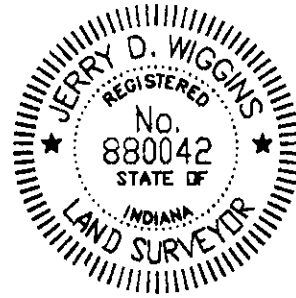
Subject to all pertinent easements, restrictions and rights-of-way.

This subdivision contains thirty-one (31) lots in Phase One, numbered one (1) through thirty-one (31) and six (6) lots in Phase Two, numbered thirty-two (32) through thirty-seven (37) inclusive, with streets, rights-of-way and easements as shown on the plat herewith.

All monuments shown hereon will exist, and that their location, size, type and material are accurately shown and that the computed error of closure of the boundary survey is not more than one foot in ten thousand, and that this plat complies with the provisions of the Subdivision Ordinance. The size of lots and width of streets and easements are shown in figures denoting feet and decimal parts thereof.

Witness my hand and seal this 5th day of August, 1999


Jerry D. Wiggins
Registered Land Surveyor No. 880042



RESTRICTIVE COVENANTS JEFFERSON ESTATES II, SECTION I.

I, the undersigned, Albert D. Stout, of Stout's Development Group, Inc., owner of the real estate shown and described herein, does hereby lay off, plat, subdivide and dedicate said real estate into lots and streets in accordance with this certified plat, which shall be known as Jefferson Estates II, Section I. That the streets as shown on the attached plat are hereby dedicated to public use and that all of the lots contained in the above plat or any portion thereof shall be subject to the following restrictions, which restrictions shall be considered and hereby declared to be covenants running with the land, which said restrictive covenants are as follows, to wit:

- The streets and rights-of-ways shown hereon, subject to construction standards and acceptance are hereby dedicated to the public use, to be owned and maintained by the City of Franklin, Indiana, Street Department.
- Any field tile or underdrain which is encountered in construction of any improvement within this subdivision shall be perpetuated, and all owners of lots in this subdivision, their successors and assigns shall comply with the Indiana Drainage Code of 1985.
- Drainage swales (ditches) along dedicated roadways and within rights-of-way, or on dedicated easements are not to be altered, dug out, filled in, tiled, or otherwise changed without the written permission from the Franklin Board of Public Works and Safety. Property owners must maintain these swales as sodded grass, ways or other non-eroding surfaces. Water from roofs or parking areas must be contained on the property long enough so that 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 Franklin Board of Public Works and Safety. Any property owner altering, changing, or damaging these drainage swales or ditches will be held responsible for such actions and will be given 10 days notice by certified mail to repair said damage. After which time, if no action is taken the Franklin Board of Public Works and Safety will cause said repairs to be accomplished, and the bill for said repairs will be sent to the affected property owner for immediate payment.
- There are strips of ground as shown on the plat marked "Sanitary Sewer, Drainage and Utility Easements" (S.S.D. & U.E.), "Drainage and Utility Easements" (D. & U.E.) and "Drainage, Utility and Landscape Easements" (D.U. & L.E.) which are hereby reserved for public utilities and the Jefferson Estates, Section 2 Homeowners Association for the installation of water and sewer mains, poles, ducts, lines, wires and drainage facilities, subject to all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected or maintained upon said strips of land; but owners of lots in this subdivision shall take their title subject to the rights of the public utilities, and the rights of the owners of other lot's in this subdivision. The drainage facilities within this subdivision shall be maintained by the "Jefferson Estates, Section 2 Homeowners Association" as detailed in the declaration of covenants, conditions and restrictions of Jefferson Estates II, Section I. The maintenance of the storm drainage system for this subdivision by the Homeowners Association shall include but not be limited to, the maintenance of all inlets, open ditches, pipes, swales, manholes and detention ponds. The costs and expense of such maintenance shall be assessed as a part of the general assessment against the owners of all lots in this subdivision as provided in the declaration and shall be secured by a lien against all lots in this subdivision. Sump pumps, gravity drains and other drains serving individual residences on lots shall outfall only into drainage swales included in the storm drainage system for this subdivision.
- Lot use and purposes as stated under the R-4 zoning as specified in the Zoning Ordinance of Franklin, Indiana. No lot shall be used except for residential purposes and no residential building shall be erected or placed or permitted on any part lot other than the single-family dwelling with any attached garage for not less than 2 cars or more than 3 cars. A storage building is permitted providing the floor area does not exceed 160 feet and the permitted storage buildings shall not have metal surfaced exteriors or roofs.

6. No dwelling shall be permitted on any lot unless the ground floor area of the main exclusive of one story open porches and garages shall be not less than 1500 square feet for a one-story dwelling. All two-story, bi-level, or tri-level dwellings shall have a minimum of 1800 square feet of living area. All dwellings and structures indicated above are subject to the construction specifications indicated as 1 through 4:

- All dwellings and structures are subject to review and approval by the architectural control Committee, as appointed by developer/owner.
- Aluminum siding shall not be permitted on the vertical portion of any structure.
- Any residence or structure 1500 square feet and greater having vinyl siding on the exterior must also have forty percent (40%) brick or stone exterior for the first vertical eight feet above grade (first floor). The method to be used to calculate the area of brick, stone or stucco required shall be as follows:

The sum of the total perimeter length of the exterior foundation of the entire residence and attached garage times (X) eight (8) feet times (X) forty percent (40%) equals (=) the area in square feet of brick or stone required.
- Any residence having 2200 or more square feet of living area (exclusive of open porches and garages), may have a siding exterior other than as stated above and may be permitted subject to review and approval by the architectural control committee.

- No buildings shall be erected, placed or altered on any lot until the builder's construction plan, specifications and plot plan have been approved by the owners or their appointed representative, as to the acceptability and quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building setback line. Each lot has a 41 foot minimum building setback from the back of curb.
- No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines shown on the recorded plat. No building shall be located nearer than 7.5 feet to an interior lot line and the aggregate of both side yard setbacks shall be not less than 15 feet. For the purpose of this covenant, eaves, steps and open porches shall not be considered as a part of the building provided, however, that this shall not be construed to permit any portion of a building to encroach upon another lot.
- No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood. Trailers, boats, and similar equipment shall not be kept or stored in the front or side yard.
- No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently.
- No downspout shall be connected to or caused to discharge rainwater into any sanitary sewer.
- No sign of any kind shall be displayed to the public view on any lot, except for one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.
- No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted on any lot.
- At no time shall any unlicensed, inoperative automobile or truck be permitted on any lot.
- No animals, livestock, poultry, or Pot Belly Pigs of any kind shall be raised, bred, or kept on any lot, except that of dogs, cats, or other usual household pets may be kept provided that they are not kept, bred, or maintained for any commercial purpose.
- No lot shall be used or maintained as a dumping ground for rubbish, trash, or garbage, waste matter or materials shall be kept only in sanitary containers, or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.
- No fence, wall, hedge or shrub planting which obstructs the sight lines at elevations between 2.5 and 8 feet above roadways 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 at points 25 feet from the intersections of the street proper lines extended. The same sight line limitation shall apply on any lot within 10 feet from the intersection of a street property line with the edge of a driveway pavement. All subject to the Franklin City Tree Ordinance.
- No screen planting or hedge more than 36 inches high shall be permitted on side lot lines between the front lot line and building setback line.
- All swales and detention areas for drainage of lots that are necessary on side lot lines and on rear lot lines shall be preserved and not obstructed in order to provide adequate surface drainage. The developer is responsible for all rough grading and for providing to the owner, contractor or purchaser of lots, a lot adequately graded to provide positive drainage, however, the builder, contractor or purchaser shall be responsible for the finish grading of each lot and for providing adequate surface drainage so as not to damage any adjacent lots.
- All residences shall have either bituminous or concrete paved driveways with a minimum width of sixteen (16) feet.
- Homeowners Association hereby owns the lake and all common ground, not otherwise dedicated.
- The Builder to be responsible for installation of all sidewalks and trees bordering City Right-of-Ways in compliance with Franklin City Subdivision Control Ordinance and Tree Ordinance, Builder/Homeowner shall landscape (minimum of 12 shrubs or trees) on or about home site before occupancy.
- The Home Owners Association is here in granted an easement on lots numbered 1 (one) and 17 (seventeen), as indicated on plat. The Easement is for the erection and maintenance of a subdivision sign in accordance with the Franklin City Sign Ordinance.

DEFINITIONS

- (A) SIDE LINE - Means a lot boundary that extends from the road on which a lot abuts to the rear line of said lot.
- (B) REAR LINE - Means the lot boundary line that is farthest from and substantially parallel to the road on which the lot abuts, except that on corner lots, it may be determined from either abutting road.
- (C) FRONT YARDS - The front building setback lines shall be as set forth upon this plat of the development.
- (D) SIDE YARDS - The side yard setback lines shall not be less than seven and a half (7.5) feet and have an aggregate of fifteen (15) feet.
- (E) REAR YARDS - Rear setback lines shall be at least fifteen (15) feet from the rear lot line.

The owner of any lot, developer, their successors or assigns, shall have the right to enforce by a proceeding at law or in equity, all restrictions, conditions, or covenants imposed by these covenants, but no such enforcement shall be liable for damages of any of the restrictions. No delay or failure by any person to enforce any restrictions or to invoke any available remedy with respect to a violation or violations thereof shall under any circumstances be deemed or held to be a waiver by that person of the right to do so thereafter, or as estoppel of person to assert any right available in and upon the occurrence, reoccurrence or continuation of any violation or violations of the restrictions. In the event that declarant shall deem it necessary to enforce any restrictions, the owner shall pay reasonable attorney's fees and court costs if declarant shall prevail in said litigation.


The within covenants, limitations and restrictions shall run with the land and shall be binding on all parties and persons claiming under them. Such provisions shall be in full force and effect until January 1, 2010, 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 in whole or in part. Invalidity of any of the covenants by judgement or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

All the lands in the subdivision and the use of the lands in the subdivision by present and future owners or occupants shall be subject to the "declaration of covenants, conditions and restrictions of Jefferson Estates II, Section I, which are hereby incorporated into this final plat to the extent as if fully set forth herein.

Invalidation of any one of these covenants by judgement or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

These covenants may be enforced by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain violation, to recover damages, or both.

This Subdivision shall be known and designated as Jefferson Estates II, Section I, Needham Township, Johnson County, State of Indiana.

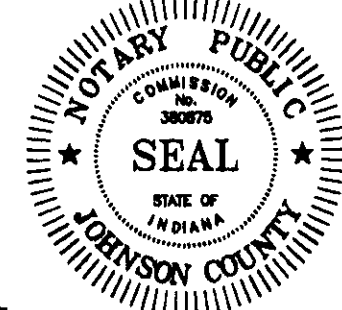

Albert D. Stout, Owner

I, the undersigned, a Notary Public, duly commissioned to take acknowledgments and to administer oaths in the State of Indiana certify that Albert D. Stout acknowledges the execution of this foregoing indenture as his authorized act this 21 day of August 1999.


James Gregory Cantwell, Notary Public

My commission expires: February 12, 2000

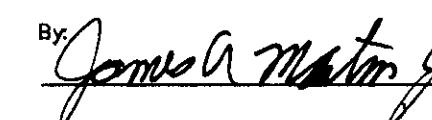
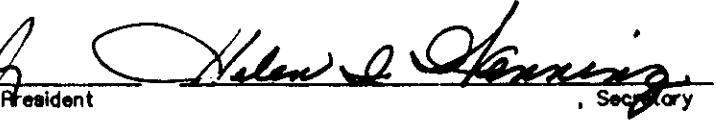
County of Residence: Johnson
State of Residence: Indiana



CERTIFICATE OF APPROVAL

After having given public notice of the time, place and nature of hearing on the application for primary approval of this subdivision by publication in the Daily Journal more than the (10) days before the date set for hearing thereon, under authority provided by Chapter 138, Acts 1957, enacted by the General Assembly of the State of Indiana, and all acts supplemental and amendatory thereof, this plat was given primary approval by a majority of the members of the City of Franklin Plan Commission meeting held on the 14th day of February, 1999.

City of Franklin Plan Commission

By  Resident  Secretary

Be It resolved by the Board of Public Works and Safety, City of Franklin, Johnson County, Indiana that the dedications shown on the plat are hereby approved and accepted this 14th day of September, 1999.

Herchel E. Cook, Mayor
Franklin, Indiana


Louise Moran, Member


Steve Hougland, Member

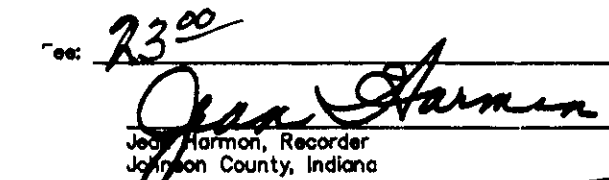
Attest: 
Mary M. McCracken, Member

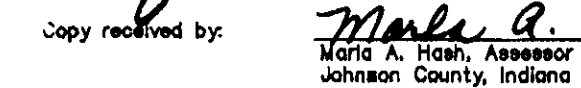
Entered for taxation this 16th day of September, 1999.


Deborah A. Shultz
Auditor
Johnson County, Indiana

NO: 1999-027340

Received this 14th day of September, 1999, at 1:59 PM, recorded in Plat Book 1, Page 233A+B

Fee: \$33.00

Jess Harmon, Recorder
Johnson County, Indiana

Copy received by: 
Maria A. Hash, Assessor
Johnson County, Indiana

SCALE	NO SCALE	DRAWN	MRV	DESIGNED BY
REVISIONS				
PROJECT				
JEFFERSON ESTATES II SECTION I.				
CITY OF FRANKLIN, JOHNSON COUNTY, IN.				
SHEET TITLE				
CKW LAND SURVEYING				
170 South Main Street, Franklin, Indiana 46131				
(PHONE) 317/371-7800 FAX 317/371-7801				
SHEET				
OF 2				
WORK ORDER: 9900004				
DATE: AUGUST 10, 1999				