

D-188B

FINAL PLAT FOR
WALNUT WOODS - SECTION ONE
WHITE RIVER TOWNSHIP, JOHNSON COUNTY, INDIANA

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM A LAND SURVEYOR, REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA...

PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 14 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN, WHITE RIVER TOWNSHIP, JOHNSON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER SECTION ON AN ASSUMED BEARING OF NORTH 89 DEGREES 27 MINUTES 58 SECONDS WEST 970.22 FEET FROM THE SOUTHEAST CORNER OF THE SAID QUARTER SECTION, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF TRACT NUMBER 2 OF THREE PARCELS RECORDED AS INSTRUMENT NUMBER 96-28118 IN THE OFFICE OF THE RECORDER OF JOHNSON COUNTY, INDIANA...

THIS SUBDIVISION CONTAINS FORTY NINE (49) LOTS NUMBERED ONE (1) THROUGH FORTY NINE (49) INCLUDING TOGETHER WITH STREETS, RIGHTS OF WAY, EASEMENTS AND COMMON AREAS AS SHOWN ON THE PLAT HEREWITH.

ALL MONUMENTS SHOWN HEREON WILL EXIST, AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE ACCURATELY SHOWN, 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 10th DAY OF MARCH 1999



Christopher H. Phillips
PROFESSIONAL LAND SURVEYOR NO. 8800096
STATE OF INDIANA

3-23-99 3rd Easement see 1999-009288
11-1-00 " " " 2000026246
11-1-00 " " " 2000026247
11-24-03 3rd Survey Serv. Agree see 2003-048990
9-27-04 3rd Replat of Lots 4+5 see D-536 A+B

WE, THE UNDERSIGNED, WALNUT WOODS DEVELOPMENT, L.L.C., OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED, HEREBY MAKE, PLAT, SUBDIVIDE, AND LAYOFF SAID DESCRIBED REAL ESTATE INTO LOTS AND STREETS IN ACCORDANCE WITH THIS CERTIFIED PLAT, AND THAT THE STREETS AS SHOWN ON THE ATTACHED PLAT ARE HEREBY DEDICATED TO PUBLIC USE...

- 1. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS WALNUT WOODS, SECTION ONE, IN JOHNSON COUNTY, INDIANA. ALL STREETS, ALLEYS AND PUBLIC OPEN SPACES SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC.
2. 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 JOHNSON COUNTY, INDIANA, HIGHWAY DEPARTMENT.
3. ANY FIELD TILE OR UNDERGROUND DRAIN 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 1986.
4. DRAINAGE SWALES OR DITCHES ALONG DEDICATED ROADWAYS AND WITHIN RIGHTS OF WAY ARE NOT TO BE ALTERED IN ANY WAY WITHOUT WRITTEN PERMISSION FROM THE JOHNSON COUNTY HIGHWAY DEPARTMENT. 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 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 JOHNSON COUNTY HIGHWAY DEPARTMENT.
5. THERE ARE STRIPS OF GROUND AS SHOWN ON THE PLAT MARKED "SANITARY SEWER, DRAINAGE AND UTILITY EASEMENTS" (S.S., D.A. U.E.), "DRAINAGE AND UTILITY EASEMENTS" (D.A. U.E.) AND UTILITY EASEMENT (U.E.) SHOWN ON THE PLAT WHICH ARE HEREBY RESERVED FOR PUBLIC UTILITIES AND THE "WALNUT WOODS HOMEOWNERS ASSOCIATION" FOR THE INSTALLATION OF WATER AND SEWER MAINS, POLES, DUCTS, AND DRAINAGE FACILITIES, SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND TO THE EASEMENT HEREBY RESERVED. NO PERMANENT OR OTHER STRUCTURES ARE TO BE ERRECTED OR MAINTAINED UPON SAID STRIPS OF LAND, BUT OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEIR TITLES SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES, AND THE RIGHTS OF THE OWNERS OF OTHER LOTS IN THIS SUBDIVISION. THE DRAINAGE FACILITIES WITHIN THIS SUBDIVISION SHALL BE MAINTAINED BY THE WALNUT WOODS HOMEOWNERS ASSOCIATION AS DETAILED IN THE DECLARATION OF COVENANTS AND RESTRICTIONS OF WALNUT WOODS. THE MAINTENANCE OF THE STORM DRAINAGE SYSTEM FOR THIS SUBDIVISION BY THE HOMEOWNERS ASSOCIATION SHALL INCLUDE BUT SHALL NOT BE LIMITED TO, THE MAINTENANCE OF ALL INLETS, OPEN DITCHES, PIPES, SWALES, MANHOLELS 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. SLUMP PUMPS, GRAVITY DRAINS AND OTHER DRAINS SERVING INDIVIDUAL RESIDENCES ON LOTS SHALL OUTFALL ONLY INTO DRAINAGE SWALES INCLUDED IN THE STORM DRAINAGE SYSTEM FOR THE SUBDIVISION.
6. THERE ARE STRIPS OF GROUND, AS SHOWN ON THE PLAT, MARKED "LANDSCAPE EASEMENT" (L.E.) WHICH ARE RESERVED AS EASEMENTS FOR USE BY THE WALNUT WOODS HOMEOWNERS ASSOCIATION, ITS SUCCESSORS AND ASSIGNS TO MAINTAIN THE LANDSCAPE AREAS, ISLANDS, DRIVEWAY PAVEMENT AND WALLS AS DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF WALNUT WOODS SUBDIVISION.
7. 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 ADJUTING ROAD.
(C) FRONT YARDS - THE FRONT BUILDING SETBACKS SHALL BE AS SET FORTH UPON THIS PLAT.
(D) CUL-DE-SACS - IF A PARTICULAR LOT ABUTS ON A CUL-DE-SAC, THE FRONT BUILDING SETBACK LINE SHALL BE AS SHOWN ON THE PLAT OF THAT LOT.
(E) SIDE YARDS - THE SIDE YARD SETBACKLINE SHALL NOT BE LESS THAN AN AGGREGATE OF TWENTY (20) FEET, HOWEVER, NO SIDE YARD SHALL BE LESS THAN EIGHT (8) FEET FROM THE SIDE LINES OF THE LOT.
(F) REAR YARDS - REAR YARD SETBACKS SHALL BE AT LEAST TWENTY (20) FEET FROM THE REAR LOT LINE.

- 8. NO FENCE, WALL, HEDGE, TREE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AND ELEVATIONS BETWEEN 2.5 FEET 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 RIGHT OF WAY LINES AND A LINE CONNECTING POINTS 30 FEET FROM THE INTERSECTION OF SAID STREET LINES OR IN THE CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET RIGHT OF WAY LINES EXTENDED.
9. THE SAME SIGHTLINE LIMITATIONS SHALL APPLY TO ANY LOT WITHIN 10 FEET OF THE INTERSECTION OF A STREET RIGHT OF WAY LINE WITH THE EDGE OF THE DRIVEWAY PAVEMENT OR ALLEY LINE. NO PORTION OF A PRIVATE DRIVEWAY FOR A CORNER LOT SHALL BE PERMITTED ON A DEDICATED RIGHTS OF WAY WITHIN 70 FEET OF THE CENTERLINE INTERSECTIONS OF STREETS ADJACENT TO THE CORNER LOT.
10. ALL LANDS IN THE SUBDIVISION AND THE USE OF THE LANDS IN THIS SUBDIVISION BY THE PRESENT AND FUTURE OWNERS OR OCCUPANTS SHALL BE SUBJECT TO THE DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WALNUT WOODS RECORDED IN MISCELLANEOUS RECORD AS INSTRUMENT NUMBER 96-28118 IN THE OFFICE OF THE RECORDER OF JOHNSON COUNTY, INDIANA, AND SHALL RUN WITH THE LAND.
11. THE FOREGOING COVENANTS AND RESTRICTIONS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 2020, AT WHICH TIME SAID COVENANTS AND RESTRICTIONS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE TEN YEAR PERIODS UNLESS BY A MAJORITY VOTE OF THE THEN CURRENT OWNERS OF THE LOTS IT IS AGREED TO CHANGE SUCH COVENANTS AND RESTRICTIONS IN WHOLE OR IN PART.
12. ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANTS EITHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGES. INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGEMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.
13. INVALIDATION OF ANY ONE OF THESE COVENANTS OR RESTRICTIONS BY JUDGEMENT OR A COURT ORDER SHALL IN NO WAY AFFECT ANY OF THE OTHER PROVISIONS HEREOF WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.
14. THE SANITARY SEWERS, AND THE CONNECTION THEREOF, SHALL BE USED ONLY FOR AND AS A SANITARY SEWER SYSTEM. NO STORM WATER, RUN OFF WATER, DOWN SPOUTS, FOOTING DRAINS (PERIMETER DRAINS) OR SUB-SOIL DRAINAGE SHALL BE CONNECTED TO THE SANITARY SEWER SYSTEM. NO SLUMP PUMPS SHALL BE CONNECTED TO THE SANITARY SEWER SYSTEM. ALL SLUMP PUMPS TO BE INSTALLED ON ANY LOT OF THIS DEVELOPMENT MUST BE CONNECTED, VIA A HARD PIPE CONNECTION, TO A DEFINED STORM WATER DRAINAGE SYSTEM IN A MANNER WHICH IS ACCEPTABLE TO THE CITY OF GREENWOOD.
15. ALL LOT OWNERS WHO SUBSEQUENTLY TAP INTO OR ARE CONNECTED WITH THE SANITARY SEWER SYSTEM PROVIDED FOR THIS SUBDIVISION AS DESCRIBED IN THIS PLAT, RELINQUISH THEIR RIGHT TO CONSTITUTE OR APPEAR AGAINST PENDING OR FUTURE ANNEXATION BY THE CITY OF GREENWOOD PURSUANT TO A CERTAIN CONTRACT DATED 1/11/99 AND RECORDED AS INSTRUMENT NUMBER 96-28118 IN THE OFFICE OF THE RECORDER OF JOHNSON COUNTY, INDIANA.
16. WHERE THE SANITARY DRAINAGE SYSTEM CAN BE DISCHARGED INTO THE SEWER GRAVITY FLOW, THE LOWEST FLOOR ELEVATION WHERE 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 SLUMP FROM WHICH THE CONTENTS SHALL BE LIFTED (PUMPED) 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.

IN WITNESS WHEREOF, RALPH ALLEN, MANAGING MEMBER, WALNUT WOODS DEVELOPMENT, L.L.C., HAS CAUSED THE EXECUTION OF THE FOREGOING COVENANTS ON THIS 18th DAY OF MARCH, 1999.
RALPH ALLEN, MANAGING MEMBER
STATE OF INDIANA )
COUNTY OF JOHNSON ) SS:
I, KENNETH E. ZUNSTEN, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT RALPH ALLEN, GENERAL PARTNER OF WALNUT WOODS DEVELOPMENT, L.L.C., ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT FOR AND IN BEHALF OF SAID VENTURE, ABOVE CERTIFICATE APPEARS BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGES THAT HE SIGNED HIS ABOVE CERTIFICATE AS HIS OWN FREE AND VOLUNTARY ACT AND DEED DEED FOR THE USES AND PURPOSES HEREIN SET FORTH.

WITNESS MY HAND AND NOTARIAL SEAL THIS 18th DAY OF MARCH, 1999.
KENNETH E. ZUNSTEN
RESIDENT OF JOHNSON COUNTY
MY COMMISSION EXPIRES: AUGUST 4, 2001

THE PRIMARY PLAT WAS RECOMMENDED FOR APPROVAL BY THE JOHNSON COUNTY PLAN COMMISSION ON THE 29th DAY OF MARCH, 1999, WITH AN EXTENSION GRANTED UNTIL MARCH 25, 1999.

Michael M. Bunnings
JOHNSON COUNTY PLAN DIRECTOR
Ronald E. Buehler, Chairman
Rick Grase

THE SUBDIVISION PLANS FOR THIS PROJECT WERE APPROVED BY THE JOHNSON COUNTY DRAINAGE BOARD ON THE 11th DAY OF MAY, 1998.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS, JOHNSON COUNTY, INDIANA, THAT THE DEDICATION SHOWN ON THIS PLAT IS HEREBY APPROVED AND ACCEPTED THIS 22nd DAY OF MARCH, 1999.

James P. Rhoades
Joseph E. Dehart
William Walker

THE JOHNSON COUNTY COMMISSIONERS DO NOT ENFORCE COVENANTS.

BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS AND SAFETY, CITY OF GREENWOOD, JOHNSON COUNTY, INDIANA, THAT THE DEDICATIONS FOR THE SANITARY SEWER EASEMENTS SHOWN ON THIS PLAT ARE HEREBY APPROVED AND ACCEPTED THIS 18th DAY OF MARCH, 1999.

Charles E. Henderson
Warren E. Beville
Kevin A. Hoover
Genevieve Worsham

RECEIVED BY THE JOHNSON COUNTY ASSESSOR:
Marla A. Nash
MARLA A. NASH, COUNTY ASSESSOR

ENTERED FOR TAXATION THIS 23rd DAY OF March, 1999.
Deborah A. Shutta
DEBORAH A. SHUTTA, AUDITOR
JOHNSON COUNTY, INDIANA

INSTRUMENT NO. 1999-009300
RECEIVED FOR RECORD THIS 23rd DAY OF March, 1999.

AT 1:06 P.M. AND RECORDED IN PLAT CABINET D PAGE 188A+B
James P. Rhoades
JOHNSON COUNTY, INDIANA