

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

IN WITNESS WHEREOF, PAUL M. ADAMS AND MERANDA B. TWOREK
HAS CAUSED THE EXECUTION OF THE FOREGOING
COVENANTS ON THIS 9th DAY OF OCTOBER, 2002

PAUL M. ADAMS

MERANDA B. TWOREK

STATE OF INDIANA)
COUNTY OF JOHNSON) SS:
I, LINDA K. FOX, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, DO

HEREBY CERTIFY THAT PAUL M. ADAMS AND MERANDA B. TWOREK
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 9th DAY OF Oct 2002



HELEN G. HARTSOCK
RESIDENT OF JOHNSON COUNTY
MY COMMISSION EXPIRES: 10-14-08



THE PRIMARY PLAT WAS RECOMMENDED FOR APPROVAL BY THE JOHNSON
COUNTY PLAN COMMISSION ON THE 25th DAY OF March, 2002, WITH AN
EXTENSION GRANTED UNTIL March, 2003

DAVID HIRSCHLE, JOHNSON COUNTY PLAN DIRECTOR

DOUG LECHNER, CHAIRMAN

RICHARD L. MASON, SEC.

THE SUBDIVISION PLANS FOR THIS PROJECT WERE APPROVED BY THE
JOHNSON COUNTY DRAINAGE BOARD ON THE 12th DAY OF
October, 2002

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS, JOHNSON COUNTY,
INDIANA, THAT THE DEDICATION SHOWN ON THIS PLAT IS HEREBY APPROVED
AND ACCEPTED THIS 12th DAY OF November, 2002

JAMES E. RHOADS

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 12th DAY OF October, 2002

CHARLES E. HENDERSON
MAYOR

WARREN E. BEVILLE
MEMBER

KEVIN A. HOOPER
MEMBER
ATTEST:
GENEVIEVE WORSHAM
CLERK, TREASURER

RECEIVED BY THE JOHNSON COUNTY ASSESSOR:

MARLA A. HASH, COUNTY ASSESSOR

ENTERED FOR TAXATION THIS 12th DAY OF November, 2002

DEBORAH A. SHUTTA, AUDITOR
JOHNSON COUNTY, INDIANA

INSTRUMENT NO. 2002-037943

RECEIVED FOR RECORD THIS 12 DAY OF November, 2002

AT 3:10 PM AND RECORDED IN PLAT CABINET D PAGE 427A B

JEAN HARMON, RECORDER
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. 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, AND THAT THIS PLAT, TO THE BEST OF MY KNOWLEDGE AND
BELIEF, CORRECTLY REPRESENTS THE SUBDIVISION OF THE
AFOREMENTIONED REAL ESTATE AS SURVEYED BY PROJECTS PLUS ON MARCH
10, 1997, AND RECORDED IN THE RECORD OF SURVEYS FILE "A" PAGE A-
10 IN THE OFFICE OF THE RECORDER OF JOHNSON COUNTY, INDIANA,
DESCRIBED AS FOLLOWS:

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 AND THAT ALL OF THE LOTS CONTAINED
IN THIS PLAT OR PORTION THEREOF SHALL BE SUBJECT TO THE FOLLOWING
RESTRICTIONS, SAID RESTRICTIONS SHALL BE CONSIDERED AND HEREBY DECLARED
TO BE COVENANTS RUNNING WITH THE LAND, WHICH SAID RESTRICTIVE COVENANTS
ARE AS FOLLOWS:

1. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS WALNUT WOODS, SECTION TWO, 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 PERMITTED, AND ALL OWNERS OF LOTS IN THIS SUBDIVISION, THEIR SUCCESSORS AND ASSIGNS SHALL COMPLY WITH THE INDIANA DRAINAGE CODE OF 1965.
 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 SOODED GRASSWAYS OR OTHER NON-ERODING SURFACES. WATER FROM ROOFS OR PARKING AREAS MUST BE CONTAINED ON THE PROPERTY LAND 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.) AND "DRAINAGE AND UTILITY EASEMENTS" (D.A. U.E.) SHOWN ON THE PLAT WHICH ARE HEREBY RESERVED FOR PUBLIC UTILITIES AND "WALNUT WOODS HOMEOWNERS ASSOCIATION". THESE STRIPS ARE RESERVED FOR PUBLIC UTILITIES, NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLATION AND MAINTENANCE OF WATER AND SEWER MAINS, POLES, DUCTS, LINES, WIRES AND DRAINAGE FACILITIES, SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND TO THE EASEMENT HEREIN 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, CONDITIONS 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, MANHOLES AND DETENTION PONDS (LAKES). THE COSTS AND EXPENSE OF SUCH MAINTENANCE SHALL BE 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.
- NOTE:
"S.S.D.A. U.E." DENOTES "SANITARY SEWER, DRAINAGE AND UTILITY EASEMENT" GRANTING TO THE CITY OF GREENWOOD FOR THE RIGHT TO ERECT, CONSTRUCT, INSTALL, AND USE, OPERATE, INSPECT, REPAIR, MAINTAIN, REPLACE, AND REMOVE SANITARY SEWER FACILITIES.
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 WALLS AS DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF WALNUT WOODS SUBDIVISION.
 7. DEFINITIONS
(A) SIDELINE - 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 SETBACK LINE 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 8 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 35 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 SIGHT LINE 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 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 _____ 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. VIOLATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT 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 JUDGMENT 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 THERETO, SHALL BE USED ONLY FOR AND AS A SANITARY SEWER SYSTEM. NO STORM WATER, RUN OFF WATER, DOWN SPILLS, PERMEATED DRAINS (PERMEATE 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, RELEASE THEIR RIGHT TO OBJECT, RECONSTITUTE OR APPEAL AGAINST PENDING OR FUTURE ANNOXATION BY THE CITY OF GREENWOOD PURSUANT TO A CERTAIN CONTRACT DATED _____ AND RECORDED AS INSTRUMENT NUMBER _____ 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 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 SLUMP FROM WHICH THE CONTENTS SHALL BE LIFTED (PUMPED) AND DISCHARGED INTO THE BUILDING GRAVITY DRAIN AT 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 9th DAY OF October, 2002

RALPH ALLEN, MANAGING MEMBER

STATE OF INDIANA)
COUNTY OF JOHNSON) SS:

I, LINDA K. FOX, 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 9th DAY OF October, 2002

LINDA K. FOX
RESIDENT OF MARION COUNTY
MY COMMISSION EXPIRES: MARCH 25, 2009



JEFFREY D. KNARR
PROFESSIONAL LAND SURVEYOR NO. 20100069
STATE OF INDIANA

429-04 for replat lts 101-102
see Inst # 2004012286 (D-509)