

D-536B

FINAL PLAT WALNUT WOODS - SECTION THREE AND A RE-PLAT OF LOTS 4 & 5 WALNUT WOODS SEC. 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. 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 FOREMENTIONED 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:

REPLAT OF LOTS NUMBERED 4 AND 5 IN WALNUT WOODS SUBDIVISION SECTION ONE THE PLAT OF WHICH IS RECORDED IN PLAT CABINET "D", PAGE 188 A+B IN THE OFFICE OF THE RECORDER OF JOHNSON COUNTY, INDIANA, AND A PART OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 14 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN, WHITE RIVER TOWNSHIP, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTH 89 DEGREES 27 MINUTES 58 SECONDS WEST (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID QUARTER SECTION 970.22 FEET TO THE SOUTHEAST CORNER OF SAID WALNUT WOODS SECTION ONE, THE NEXT NINE (9) COURSES FOLLOW THE EASTERLY AND SOUTHERLY LINE OF SAID WALNUT WOODS SECTION ONE: 1) THENCE NORTH 01 DEGREE 03 MINUTES 16 SECONDS EAST 180.01 FEET TO THE POINT OF BEGINNING OF THIS DESCRIBED TRACT; 2) THENCE CONTINUING NORTH 01 DEGREE 03 MINUTES 16 SECONDS EAST 13.51 FEET; 3) THENCE NORTH 09 DEGREES 44 MINUTES 33 SECONDS WEST 173.06 FEET; 4) THENCE NORTH 88 DEGREES 56 MINUTES 44 SECONDS WEST 138.80 FEET; 5) THENCE NORTH 03 DEGREES 42 MINUTES 37 SECONDS WEST 29.87 FEET; 6) THENCE NORTH 01 DEGREE 03 MINUTES 16 SECONDS EAST 259.75 FEET TO A CURVE CONCAVE EASTERLY THE RADIUS OF SAID CURVE BEARS SOUTH 88 DEGREES 56 MINUTES 44 SECONDS EAST 182.00 FEET; 7) THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03 DEGREES 14 MINUTES 14 SECONDS 9.15 FEET; 8) THENCE SOUTH 88 DEGREES 56 MINUTES 44 SECONDS EAST 173.44 FEET; 9) THENCE SOUTH 89 DEGREES 02 MINUTES 02 SECONDS EAST 317.70 FEET; THENCE SOUTH 00 DEGREES 32 MINUTES 02 SECONDS WEST 483.28 FEET; THENCE NORTH 89 DEGREES 27 MINUTES 58 SECONDS WEST 322.08 FEET TO THE POINT OF BEGINNING CONTAINING 4.798 ACRES, MORE OR LESS, SUBJECT TO ALL PERTINENT RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS.

THIS SUBDIVISION CONTAINS ELEVEN (11) LOTS NUMBERED FOUR (4) AND FIVE (5) AND ONE HUNDRED FOUR (104) THROUGH ONE HUNDRED AND TWELVE (112) INCLUSIVE, 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 26th DAY OF Sept. 2004



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

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 ANY 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:

- THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS WALNUT WOODS, SECTION THREE, IN JOHNSON COUNTY, INDIANA. ALL STREETS, ALLEYS AND PUBLIC OPEN SPACES SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC.
- 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.
- 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 1965.
- 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.
- THERE ARE STRIPS OF GROUND AS SHOWN ON THE PLAT MARKED "SANITARY SEWER, DRAINAGE AND UTILITY EASEMENTS" (S.S.D.& U.E.) AND "DRAINAGE AND UTILITY EASEMENTS" (D.& 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 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, 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 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 THE SUBDIVISION.

NOTE:
"S.S.D.& U.E." DENOTES "SANITARY SEWER, DRAINAGE AND UTILITY EASEMENT" GRANTING TO THE CITY OF GREENWOOD FOR THE RIGHT TO ERRECT, CONSTRUCT, INSTALL, AND USE, OPERATE, INSPECT, REPAIR, MAINTAIN, REPLACE, AND REMOVE SANITARY SEWER FACILITIES.

- DEFINITIONS
 - SIDELINE - MEANS A LOT BOUNDARY THAT EXTENDS FROM THE ROAD ON WHICH A LOT ABUTS TO THE REAR LINE OF SAID LOT.
 - 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.
 - FRONT YARDS - THE FRONT BUILDING SETBACKS SHALL BE AS SET FORTH UPON THIS PLAT.
 - 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.
 - SIDE YARDS - SIDE YARD SETBACKS SHALL BE AT LEAST TEN (10) FEET FROM THE SIDE LINES OF THE LOT.
 - REAR YARDS - REAR YARD SETBACKS SHALL BE AT LEAST TWENTY (20) FEET FROM THE REAR LOT LINE.

- 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.
- 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.
- 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.
- 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.
- 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 JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.
- 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.
- 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, REMONSTRATE OR APPEAL AGAINST PENDING OR FUTURE ANNEXATION BY THE CITY OF GREENWOOD PURSUANT TO A CERTAIN CONTRACT DATE _____ AND RECORDED AS INSTRUMENT NUMBER _____ IN THE OFFICE OF THE RECORDER OF JOHNSON COUNTY, INDIANA.
- 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 SUMP 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 26th DAY OF September, 2004

Ralph Allen
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 26th DAY OF Sept. 2004



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

THE PRIMARY PLAT WAS RECOMMENDED FOR APPROVAL BY THE JOHNSON COUNTY PLAN COMMISSION ON THE 27th DAY OF JANUARY, 2003.

William Peoples
WILLIAM PEOPLES, JOHNSON COUNTY PLAN DIRECTOR

Richard Mason
RICHARD MASON, SECRETARY

THE SUBDIVISION PLANS FOR THIS PROJECT WERE APPROVED BY THE JOHNSON COUNTY DRAINAGE BOARD ON THE 3rd DAY OF MARCH, 2003.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS, JOHNSON COUNTY, INDIANA, THAT THE DEDICATION SHOWN ON THIS PLAT IS HEREBY APPROVED AND ACCEPTED THIS 21st DAY OF September 2004

James Rhoades
JAMES RHOADES
Joseph E. DeNayt
JOSEPH DENAYT
William Walker
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 26th DAY OF September 2004

CHARLES E. HENDERSON
MAYOR

Warren E. Beville
WARREN E. BEVILLE
MEMBER

Kevin A. Hoover
KEVIN A. HOOVER
MEMBER

ATTEST: *Jeanine Myers*
JEANNINE MYERS
CLERK TREASURER

RECEIVED BY THE JOHNSON COUNTY ASSESSOR:

Marla A. Hash
MARLA A. HASH, COUNTY ASSESSOR

ENTERED FOR TAXATION THIS 27th DAY OF September 2004

Brenda Jones-Matthews
BRENDA JONES-MATTHEWS, AUDITOR
JOHNSON COUNTY, INDIANA

INSTRUMENT NO. 2004-028310

RECEIVED FOR RECORD THIS 27th DAY OF September 2004

AT 3:15 P.M. AND RECORDED IN PLAT CABINET D PAGE 536 A+B

Sue Anne Misiniec
SUE ANNE MISINIEC, RECORDER
JOHNSON COUNTY, INDIANA

9-27-06 Monumentation offt see 2006-25336

3-9-2006 * 2006 008329
MPL: [unclear] [unclear] FF: [unclear]