

SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, CFM
Surveyor of Hamilton County
Phone (317) 776-8495
Fax (317) 776-9628

Suite 188
One Hamilton County Square
Noblesville, Indiana 46060-2230

August 7, 2013

To: Hamilton County Drainage Board

Re: Williams Creek #315 Springmill Crossing Drain, Baker Arm

Attached is a petition, plans and drain map for the Baker Arm to the Springmill Crossing Drain. The proposed drain is located in Clay Township.

The petition for this arm was filed on January 13, 2012 by Daniel and Bernadette Baker in order to provide drainage to the rear of Lot 35 in Section 1 of Springmill Crossing, parcel 17-09-23-03-01-059.000. The petition asks for subsurface drainage access to the main Springmill Crossing Drain per IC-36-9-27-66.

The drain shall begin at a point approximately two (2) feet south of the north property line of the above described Baker property and run in a northerly direction across tracts 17-09-23-03-01-060.000, owned by John H. Darlington, III and 17-09-23-03-01-001.000 owned by the Springmill Crossing Property Owners Association, Inc. The drain shall run 240 feet terminating in the 30" RCP 20 feet west of Str. 552 as shown on sheet 3 of the Springmill Crossing Section 1 Site Development Plan prepared by Paul I. Cripe, Inc., Job Number 85100-00100.

The cost estimate for the drain is as follows:

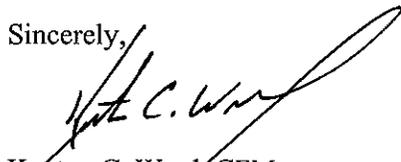
240 feet 6" non-perforated, smooth bore, double wall	@ \$ 40.00/ft.	\$ 9,600.00
6x6x6 plastic "T"	2 @ \$100.00 each	\$ 200.00
6" riser	2 @ \$100.00 each	\$ 200.00
N 1570 castings w/2965 cover	2 @ \$200.00 each	\$ 400.00
Seeding 0.1 ac	@ \$2,500/ac	\$ 250.00
	Subtotal	\$10,650.00
	15% Contingency	\$ 1,597.50
	Total	\$12,247.50

The Springmill Crossing Drain is now part of the Williams Creek Drainage Area. The fund for the drainage area has a current balance of \$1,101,857.00. I recommend that the Board pay the costs of this arm from this fund per IC 36-9-27-45.5. Therefore, no assessment would be charged for the construction of this arm. Further, there will be no change in the current maintenance assessment.

The proposed arm will cross the Baker property, Lot 35 and the Darlington property, Lot 34, within the existing platted 10 foot drainage easement and 10 foot drainage and utility easement. This easement is shown on the secondary plat for Springmill Crossing, Section 1, as recorded the Office of the Hamilton County Recorder as Instrument 8612337, Plat Book 13, pages 4-8. The portion of the drain which will cross the property of the Springmill Crossing Property Owners Association, Inc. will be partially within a new 20 foot easement and an existing 30 foot drainage easement as shown on the above referenced secondary plat for Springmill Crossing, Section 1. The new easement has not been executed at this time by the Association, but this office has been informed verbally that it will be once the easement document is prepared. Per the verbal communication with the association there will not be a cost for the easement.

I recommend the Board set this item for hearing for September 23, 2013.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenton C. Ward', written over a horizontal line.

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

Williams Creek #315

Springmill Crossing Drain, Baker Arm
 New arm to run 240' north from Lot 35.

*No change in maintenance assessment.

*Cost of reconstruction to be paid from the Williams Creek maintenance fund.

Cost Estimate: \$12,247.50

Parcel	Owner	Desc	Rate	Benefit	MntAsmt	Reconst	Percent
17-09-23-03-01-001.000	Springmill Crossing Prop Owner	Springmill Crossing Sec 1 Pt Blk A, 8.46Ac	Regulated Subd	*	*	*	33.33%
17-09-23-03-01-059.000	Watkins, Benjamin J & Julia K	Springmill Crossing Sec 1 Lot 35	Regulated Subd	*	*	*	33.33%
17-09-23-03-01-060.000	Darlington, John H III	Springmill Crossing Sec 1 Lot 34	Regulated Subd	*	*	*	33.33%

FILED

JAN 13 2012

To: Hamilton County Drainage Board
OFFICE OF HAMILTON COUNTY SURVEYOR

Date: January 6, 2012

Re: Springmill Crossing Drain

Dan & Bernadette Baker (Here-in-after "Petitioner"),

hereby petitions the Hamilton County Drainage Board under IC 36-9-27-66 for an arm to be installed to the Springmill Crossing Drain in order to serve the property of the petitioner. The petitioner, in support of said petition, advises the Board that:

1. The Springmill Crossing Drain is presently on a maintenance program and that land of the petitioner is assessed as benefited by the maintenance of the regulated drain
2. There is no known adequate open or tiled drain connecting the land of the petitioner with the regulated drain;
3. The waters from the petitioners land flow over or through land owned by others to reach the regulated drain;
4. The legal description of lands through which the new regulated drain will run along with the parcel numbers, name and address of each owner of that land is shown on Exhibit "A" which is attached;
5. The general route of the proposed new regulated drain and method of construction is shown on Exhibit "B" which is attached.

~~6. Petitioner agrees to pay all legal and construction costs involved with the construction of the proposed new regulated drain.~~

Removed
1-6-12
JAN

Signed

Printed

D O B E
Bernadette Baker

Daniel Baker
Bernadette Baker



HAMILTON COUNTY SURVEYOR'S OFFICE

SPRINGMILL CROSSING DRAIN #214

KENTON C. WARD, COUNTY SURVEYOR
HAMILTON COUNTY DRAINAGE BOARD

CHRISTINE ALTMAN, PRESIDENT
MARK HEIRBRANDT, VICE PRESIDENT
STEVEN C. DILLINGER, MEMBER

UTILITY CONTACTS

COMCAST

5330 E. 65TH ST
INDIANAPOLIS, IN 46220
CONTACT: MATT STRINGER
(317) 275-6355

HAMILTON CO. HIGHWAY DEPT.

1700 S. 10TH STREET
NOBLESVILLE, IN 46060
CONTACT: BRAD DAVIS
(317) 773-7770

FRONTIER COMMUNICATION

20905 HAGUE RD
NOBLESVILLE, IN 46062
CONTACT: STEVE COSTLOW
317-984-9010

CITY OF CARMEL

STORMWATER PROGRAM
CARMEL CITY HALL, 1ST FLOOR
ONE CIVIC SQUARE
CARMEL, IN 46032
CONTACT: JOHN THOMAS
317-571-2441

VECTREN

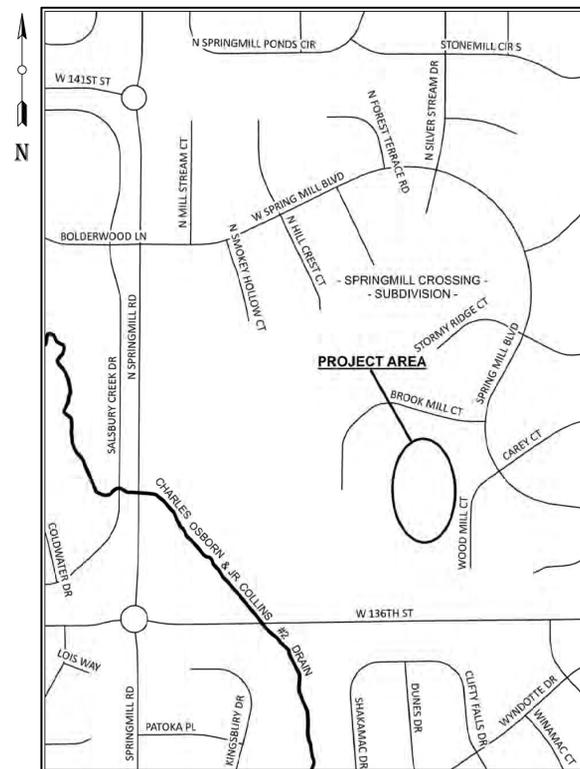
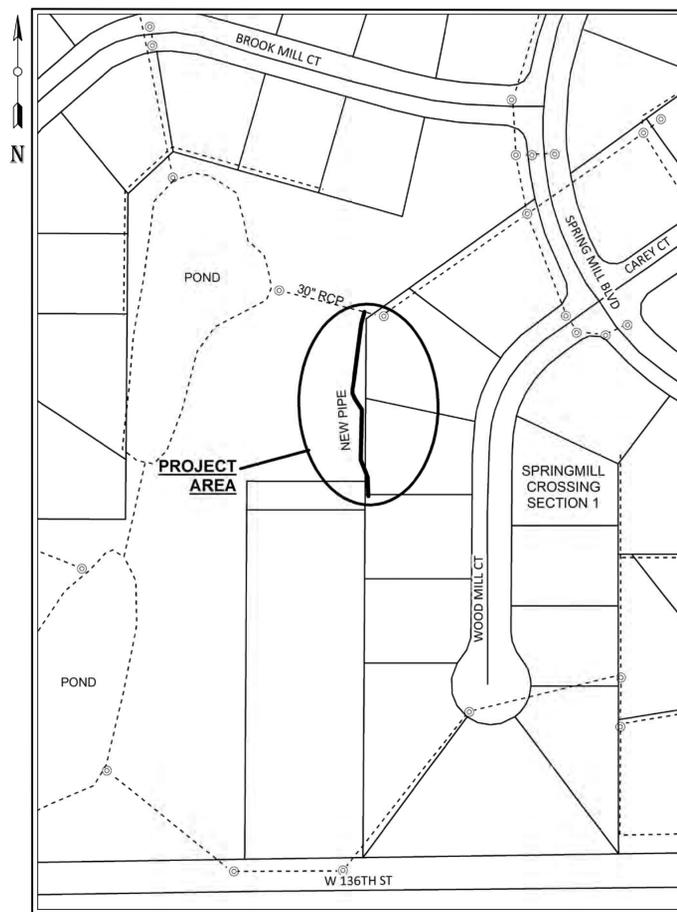
16000 ALLISONVILLE RD
NOBLESVILLE, IN 46060
CONTACT: BRIAN HARGER
(317) 776-5336

AT&T

5858 N. COLLEGE AVE.
INDIANAPOLIS, IN 46220
CONTACT: BRIAN CRAVENS
(317) 252-4275

DUKE ENERGY

100 S. MILL CREEK ROAD
NOBLESVILLE, IN 46062
CONTACT: CINDY ROWLAND
(317) 776-5336



SITE LOCATION MAP
NOT TO SCALE

INDEX

SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	PLAN AND PROFILE SHEET

BENCHMARKS

JOB BENCHMARK

DNR LEE 4 RESET. DNR TABLET SET IN TOP OF A CONCRETE POST 15.3FT EAST OF THE CENTERLINE OF SHELBORNE ROAD APPROXIMATELY 1500FT SOUTH OF THE INTERSECTION OF WEST 146TH STREET, ELEVATION 910.53 NAVD 85.

SITE BENCHMARK

MAG NAIL SET ON EAST SIDE OF PARKING LOT NEAR CATCH BASIN, ELEVATION 872.40. RIM OF CB EAST OF POND, ELEVATION 870.60



HAMILTON COUNTY, INDIANA
HAMILTON COUNTY SURVEYOR'S OFFICE
HAMILTON COUNTY GOVERNMENT AND JUDICIAL CENTER
ONE HAMILTON COUNTY SQUARE, SUITE 188
NOBLESVILLE, IN 46060
PHONE: (317) 776-8495
FAX: (317) 776-9628
SURVEYOR@HAMILTONCOUNTY.IN.GOV



PROJECT NO:	WATERSHED NO:	FIELD BY: JKM	DATE: 08/22/2013
BY: RJS	DRAWN BY: DMW	CHECKED BY: KCW	

REVISIONS:	DATE:

CERTIFIED BY:

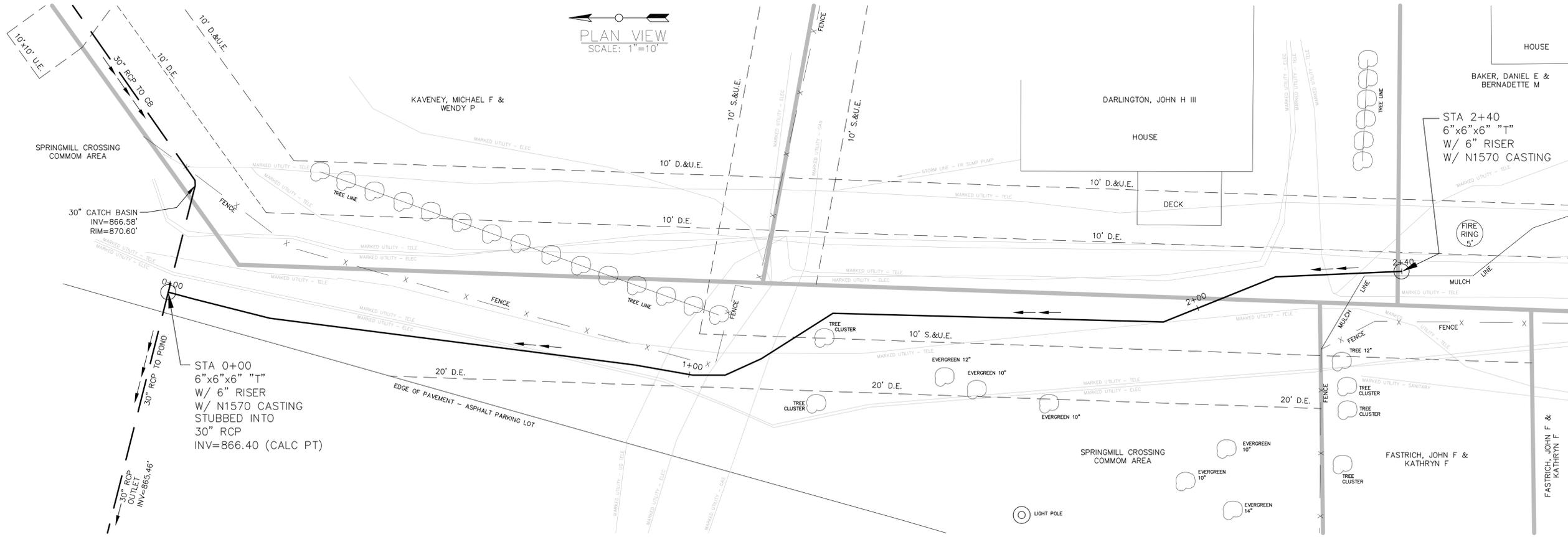
CHRISTIE L. KALLIO, P.E.

PROJECT NAME:
SPRINGMILL CROSSING DRAIN #214

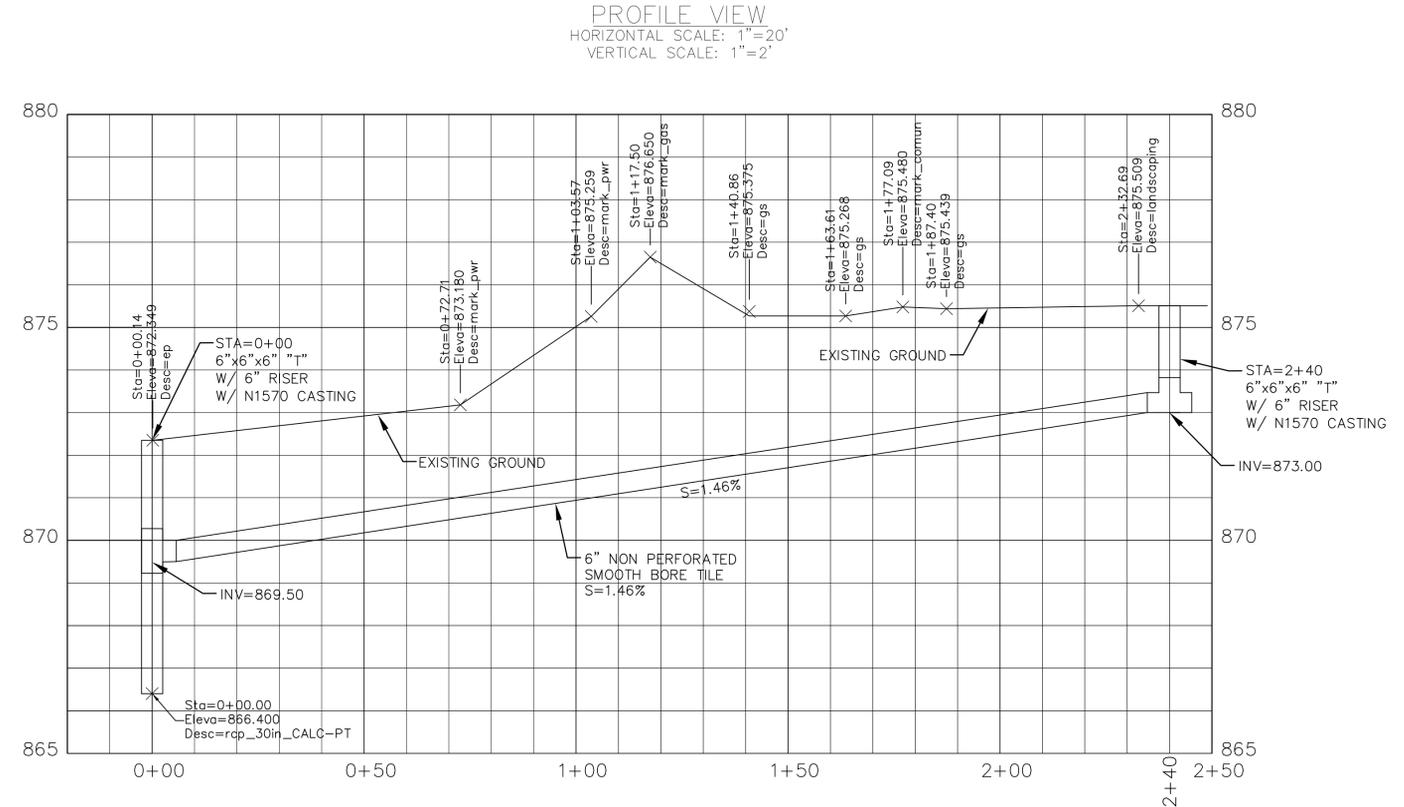
TITLE SHEET

SHEET NO.
1 OF 2

DATE: AUG 22, 2013 - 1:28PM



NOTE:
 1.) TREE CLEARING AS NEEDED PER HCSO DETAIL 00-3, SHEET 15. CONTRACTOR TO COORDINATE WITH HCSO INSPECTOR.
 2.) HCSO INSPECTOR TO COORDINATE FENCE REMOVAL, FENCE REPLACEMENT AND GATES WITH PROPERTY OWNERS.



HAMILTON COUNTY, INDIANA
 HAMILTON COUNTY SURVEYOR'S OFFICE
 HAMILTON COUNTY GOVERNMENT AND JUDICIAL CENTER
 ONE HAMILTON COUNTY SQUARE, SUITE 188
 NOBLESVILLE, IN 46060
 PHONE: (317) 776-8495
 FAX: (317) 776-9628
 SURVEYOR@HAMILTONCOUNTY.IN.GOV



PROJECT NO:	WATERSHED NO:
BY: DMW	FIELD BY: JKM
DATE:	DRAWN BY: DMW
REVISIONS:	CHECKED BY: KCW
	DATE: 08/22/2013

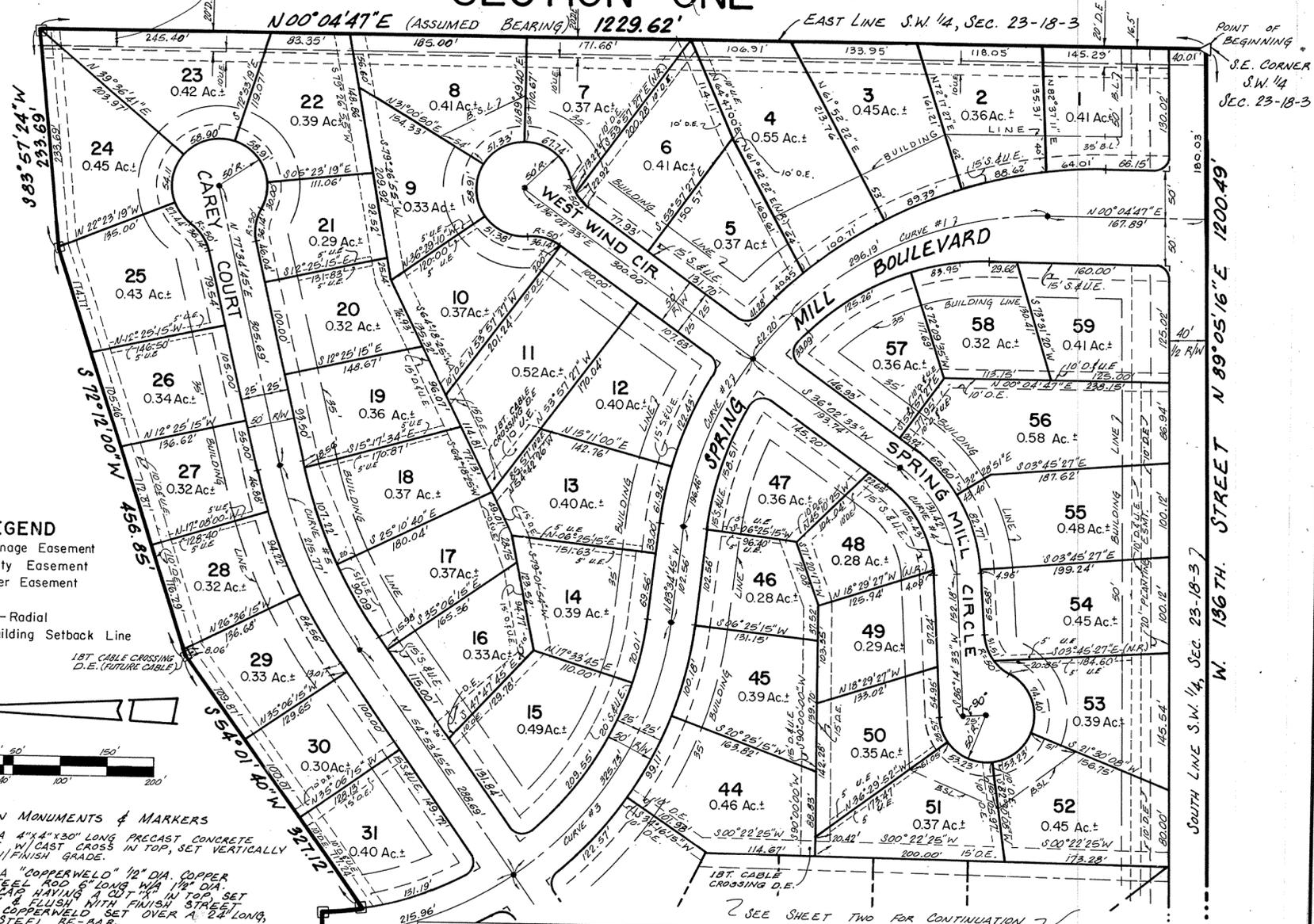
CERTIFIED BY:
 CHRISTIE L. KALLIO, P.E.

PROJECT NAME:
SPRINGMILL CROSSING DRAIN #214
 PLAN & PROFILE SHEET

PLOT DATE: AUG 22, 2013 - 1:26PM

SECONDARY PLAT SPRINGMILL CROSSING SECTION ONE

16.5' WIDE COMMUNICATION SYSTEMS EASEMENT LAST ASSIGNED TO A.T. & T. COMMUNICATIONS OF INDIANA INC. BOOK 1, PAGE 630 INSTR. # 84-395



LEGEND
 D.E. = Drainage Easement
 U.E. = Utility Easement
 S.E. = Sewer Easement
 R = Radius
 N.R. = Non-Radial
 B.S.L. = Building Setback Line

NOTES ON MONUMENTS & MARKERS
 □ DENOTES A 4" x 4" x 30" LONG PRECAST CONCRETE MONUMENT WITH CAST CROSS IN TOP, SET VERTICALLY & FLUSH WITH FINISH GRADE.
 ● DENOTES A "COPPERWELD" 1/2" DIA. COPPER COATED STEEL ROD 3" LONG WITH 1/2" DIA. TAPERED CAP HAVING A CUT IN TOP SET VERTICALLY & FLUSH WITH FINISH STREET SURFACE. COPPERWELD SET OVER A 24" LONG, 5/8" DIA. STEEL RE-BAR.
 STEEL PIN MARKERS (MINI 5/8" DIA. & MIN 30" LONG) TO BE SET VERTICALLY AT ALL OTHER CORNERS & INTERSECTING LINES.
 NOTE: ALL STREET PROPERTY, LINE INTERSECTIONS ARE ROUNDED WITH 20' RADIUS. THE BLOCK DIMENSIONS SHOWN ARE TO THE INTERSECTIONS OF THE BLOCK LINES EXTENDED.

Under authority provided by Title 36, Acts of 1981, P.L. 309 Section 23, As amended by Acts of 1982, P.L. 211 Section 4, enacted by the General Assembly of the State of Indiana, and all acts amendatory thereto and an Ordinance adopted by the Common Council of the City of Carmel, Indiana, this plat was given approval by the City of Carmel as follows:

Adopted this 15 day of October, 1985.
 CARMEL CITY PLAN COMMISSION

William H. Merrill
 William H. Merrill, President
Rosalind McCart
 Rosalind McCart, Secretary

THIS INSTRUMENT PREPARED BY Alex D. Oak, R.L.S.

CURVE DATA													
CURVE#	Δ	R	L	C	T	D	CURVE#	Δ	R	L	C	T	D
1 E	44°39'32"	380.00'	296.19'	288.75'	156.08'	15.077837°	4 E	50°12'00"	150.00'	131.42'	127.26'	70.27'	38.197186°
1 IN	"	268.40'	209.21'	203.95'	110.24'	21.346866°	4 IN	"	125.00'	109.52'	106.05'	58.55'	45.836624°
1 OUT	"	491.60'	383.17'	373.55'	201.91'	11.655047°	4 OUT	"	175.00'	153.33'	148.47'	81.98'	32.740445°
2 E	39°00'00"	380.00'	258.66'	253.69'	134.57'	15.077837°	5 E	22°41'00"	545.00'	215.77'	214.36'	109.31'	10.512987°
2 IN	"	355.00'	241.64'	237.00'	125.71'	16.139656°	5 IN	"	520.00'	205.87'	204.53'	104.30'	11.018419°
2 OUT	"	405.00'	275.68'	270.38'	143.42'	14.147106°	5 OUT	"	570.00'	225.66'	224.19'	114.33'	10.051891°
3 E	80°36'50"	385.00'	541.69'	498.10'	326.58'	14.882021°							
3 IN	"	360.00'	506.51'	465.76'	305.38'	15.915494°							
3 OUT	"	410.00'	576.86'	530.44'	347.79'	13.974580°							

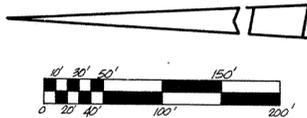
8612337
 RECEIVED FOR RECORD
 AT 10:10 O'CLOCK A M
 JUN 25 1986
 BOOK 13 PAGE 4-8
 Alex D. Oak
 RECORDS - HAMILTON COUNTY, INDIANA



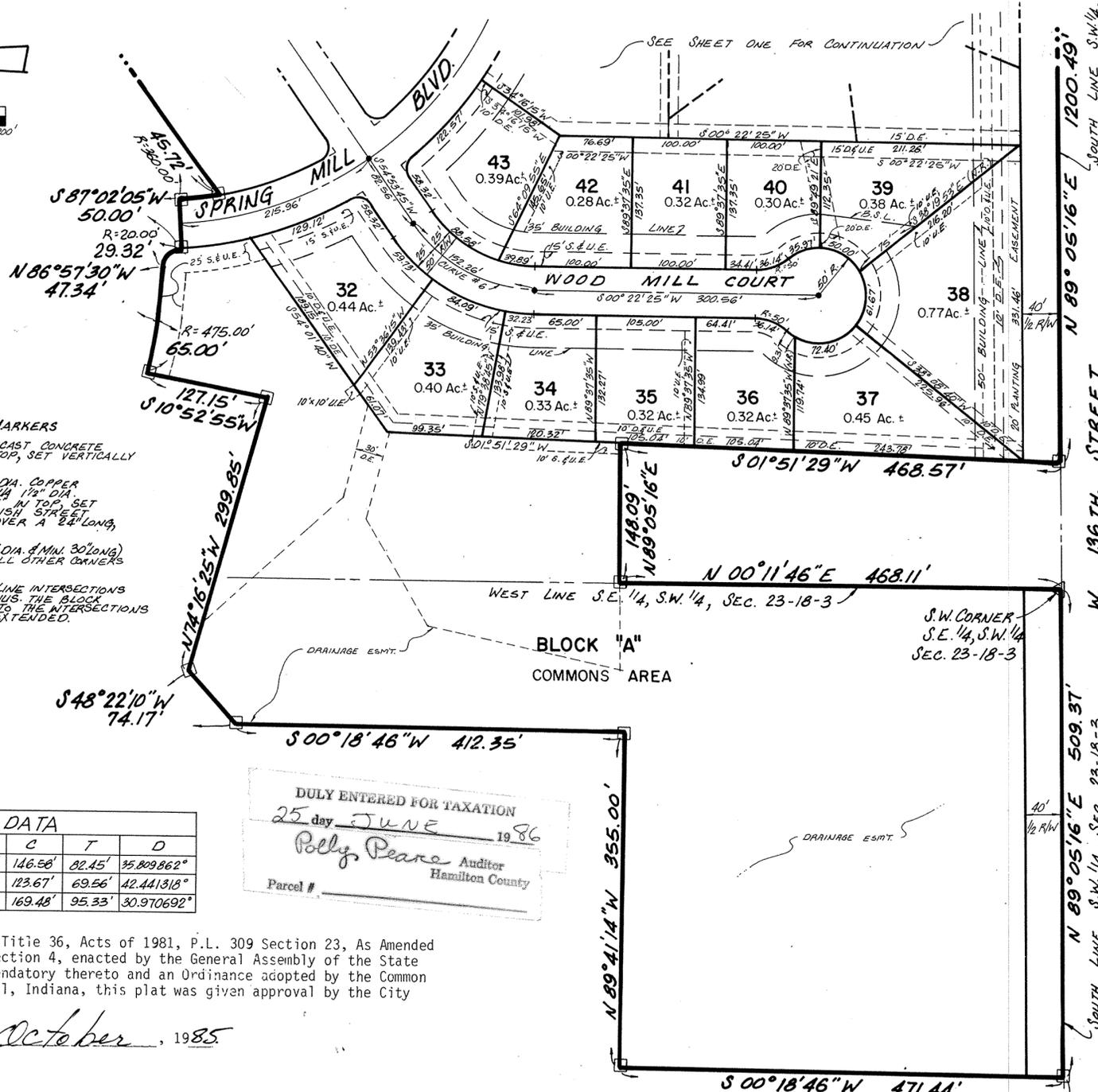
SHEET 1 OF 5
 P.I.C. # 85100-00100

For Amendments of Restriction 10A see Misc. BK 18889927
 For Consent Encroachment see 8812065 Rec. 4-22-88-lots 53-54
 For Maintenance Easement see 8826541 Rec. 12-13-88
 Limitation c.c.r., Misc 186 P3 949 c.c.r.

SECONDARY PLAT SPRINGMILL CROSSING SECTION ONE



- LEGEND**
- D.E. = Drainage Easement
 - U.E. = Utility Easement
 - S.E. = Sewer Easement
 - R = Radius
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NOTES ON MONUMENTS & MARKERS

- DENOTES A 4"x4"x30" LONG PRECAST CONCRETE MONUMENT W/ CAST CROSS IN TOP, SET VERTICALLY & FLUSH W/ FINISH GRADE.
- DENOTES A "COPPERWELD" 1/2" DIA. COPPER COATED STEEL ROD 6" LONG W/ 1/2" DIA. TAPERED CAP HAVING A CUT "X" IN TOP, SET VERTICALLY & FLUSH WITH FINISH STREET SURFACE. COPPERWELD SET OVER A 24" LONG, 3/4" DIA. STEEL RE-BAR.
- STEEL PIN MARKERS (MIN. 5/16" DIA. & MIN. 30" LONG) TO BE SET VERTICALLY AT ALL OTHER CORNERS & INTERSECTING LINES.

Note: ALL STREET PROPERTY LINE INTERSECTIONS ARE ROUNDED WITH 20' RADIUS. THE BLOCK DIMENSIONS SHOWN ARE TO THE INTERSECTIONS OF THE BLOCK LINES EXTENDED.

CURVE DATA						
CURVE#	Δ	R	L	C	T	D
6 E	54°31'20"	160.00'	152.26'	146.56'	82.45'	35.809862°
6 IN	"	135.00'	128.47'	123.67'	69.56'	42.441318°
6 OUT	"	185.00'	176.06'	169.48'	95.33'	30.970692°

DULY ENTERED FOR TAXATION
25 day JUNE 19 86
Polly Pearce Auditor
Hamilton County
Parcel #

Under authority provided by Title 36, Acts of 1981, P.L. 309 Section 23, As Amended by Acts of 1982, P.L. 211 Section 4, enacted by the General Assembly of the State of Indiana, and all acts amendatory thereto and an Ordinance adopted by the Common Council of the City of Carmel, Indiana, this plat was given approval by the City of Carmel as follows:

Adopted this 15 day of October, 1985
CARMEL CITY PLAN COMMISSION

William H. Merrill
William H. Merrill, President

Rosalind M. Cart
Rosalind M. Cart, Secretary

RECEIVED FOR RECORD
AT 10:00 O'CLOCK A.M.
JUN 25 1985
BOOK 13 PAGE 5
Mary D. Clark
RECORDER HAMILTON COUNTY, INDIANA

ALEX. D. OAK
REGISTERED
No. S0292
STATE OF INDIANA
LAND SURVEYOR

S.W. CORNER
S.W. 1/4
SEC. 23-18-3

I, the undersigned, hereby certify that to the best of my professional knowledge and belief the within plat accurately represents a survey performed under my supervision of part of the Southwest Quarter of Section 23, Township 18 North, Range 3 East in Hamilton County, Indiana, more particularly described as follows:

Beginning at the Southeast corner of the Southwest Quarter of said Section 23; thence along the East line thereof North 00 degrees 04 minutes 47 seconds East (assumed bearing) 1229.62 feet; thence South 83 degrees 57 minutes 24 seconds West 233.69 feet; thence South 72 degrees 12 minutes 00 seconds West 456.85 feet; thence South 54 degrees 01 minutes 40 seconds West 327.12 feet to a point on a curve having a radius of 360.00 feet, the radius point of which bears North 79 degrees 45 minutes 28 seconds East; thence Northerly along said curve 45.72 feet to a point which bears South 87 degrees 02 minutes 05 seconds West from said radius point; thence South 87 degrees 02 minutes 05 seconds West 50.00 feet to a curve having a radius of 20.00 feet, the radius point of which bears South 87 degrees 02 minutes 05 seconds West; thence Northerly and Westerly along said curve 29.32 feet to a point which bears North 03 degrees 02 minutes 30 seconds East from said radius point; thence North 86 degrees 57 minutes 30 seconds West 47.34 feet to a curve having a radius of 475.00 feet, the radius point of which bears North 03 degrees 02 minutes 30 seconds East; thence Westerly along said curve 65.00 feet to a point which bears South 10 degrees 52 minutes 55 seconds West from said radius point; thence South 10 degrees 52 minutes 55 seconds West 127.15 feet; thence North 74 degrees 16 minutes 25 seconds West 299.85 feet; thence South 48 degrees 22 minutes 10 seconds West 74.17 feet; thence parallel with the West line of said Southwest Quarter South 00 degrees 18 minutes 46 seconds West 412.35 feet; thence North 89 degrees 41 minutes 14 seconds West 355.00 feet; thence parallel with the West line of said Southwest Quarter South 00 degrees 18 minutes 46 seconds West 471.44 feet to a point on the South line of said Southwest Quarter which bears North 89 degrees 05 minutes 16 seconds East 825.62 feet from the Southwest corner thereof; thence along said South line North 89 degrees 05 minutes 16 seconds East 509.37 feet to the Southwest corner of the Southeast Quarter of said Southwest Quarter; thence along the West line thereof North 00 degrees 11 minutes 46 seconds East 468.11 feet; thence parallel with the South line of said Southwest Quarter North 89 degrees 05 minutes 16 seconds East 148.09 feet; thence South 01 degrees 51 minutes 29 seconds West 468.57 feet to a point on the South line of said Southwest Quarter which bears South 89 degrees 05 minutes 16 seconds West 1200.49 feet from the point of beginning; thence along said South line North 89 degrees 05 minutes 16 seconds East 1200.49 feet to the Point of Beginning, containing 37.72 acres, more or less.

This subdivision consists of 59 lots, numbered 1 thru 59 inclusive and Block "A" commons area, which Block "A" contains 8.60 acres, more or less. The size of the lots and block and the width of the streets are shown in figures denoting feet and decimal parts thereof.

This survey was made under my supervision during the month of August, 1985.

Witness my signature this 3rd day of September, 1985.

Source of Title: Deed Book 357, pages 120-121, Instrument #86-11815, in the Recorders Office, Hamilton County, Indiana.

Alex D. Oak, R.L.S. #S0292



The undersigned, The Shorewood Corporation, being the owner of record of the above described real estate hereby certify that they do lay off, plat and subdivide the same into lots, block and streets in accordance with this plat and certificate.

This subdivision shall be known and designated as "SPRINGMILL CROSSING - SECTION ONE".

All streets shown and not heretofore dedicated, are hereby dedicated to the public for its use.

1. EASEMENTS FOR DRAINAGE, SEWERS AND UTILITIES: Lots are subject to drainage easements, sewer easements and utility easements, either separately or in combination of the three, as shown on the plat, which are reserved for the use of the lot owners, public utility companies and governmental agencies as follows:
 - A. DRAINAGE EASEMENTS (D.E.) - are created to provide paths and courses for area and local storm drainage, either overland or in adequate underground conduit, to serve the needs of the subdivision and adjoining ground and/or public drainage system; and it shall be the individual responsibility of the lot owner to maintain the drainage across his own lot. Under no circumstances shall said easement be blocked in any manner by the construction or reconstruction of any improvement, nor shall any grading restrict the water flow in any manner. Said areas are subject to construction or reconstruction to any extent necessary to obtain adequate drainage at any time by any governmental authority having jurisdiction over drainage or by the developer of the subdivision.
 - B. SEWER EASEMENTS (S.E.) - are created for the use of the local governmental agency having jurisdiction over the storm and/or sanitary waste disposal system of said city and/or county designated to serve the addition for the purposes of installation and maintenance of sewers that are a part of said system. Each owner of a lot must connect with any public sanitary sewer available.
 - C. UTILITY EASEMENTS (U.E.) - are created for the use of public utility companies and cable TV's, not including transportation companies, for the installation of pipes, mains, ducts and cables as well as for the uses specified in the case of sewer easements.
 - D. The owners of all lots in this addition shall take title subject to the rights of public utilities, governmental agencies, and the rights of the other lot owners in this addition to said easement herein granted for ingress and egress in, along, and through the strips of ground for the purposes herein stated.
2. DWELLING SIZE AND USE: All lots in this subdivision shall be known and designated as residential lots. No business buildings shall be erected on said lots and no business may be conducted on any part thereof, other than the home occupations permitted in the Zoning Ordinance of Carmel, Hamilton County, Indiana. No structure shall be erected, altered, placed or permitted to remain on any residential lot herein, other than one detached single-family dwelling not to exceed two and one-half stories in height and residential accessory buildings. Any garage, or accessory building erected shall be of a permanent type of construction and shall conform to the general architecture and appearance of such residence. The minimum square footage of living space of dwellings constructed on all residential lots shall be 1700 square feet for single floor residence and 2100 square feet for two story or multi-story residence with the ground floor having a minimum of 1100 square feet, exclusive of porches, terraces, garages, carports, accessory buildings and basements.

Under authority provided by Title 36, Acts of 1981, P.L. 309 Section 23, As Amended by Acts of 1982, P.L. 211 Section 4, enacted by the General Assembly of the State of Indiana, and all acts amendatory thereto and an Ordinance adopted by the Common Council of the City of Carmel, Indiana, this plat was given approval by the City of Carmel as follows:

Adopted this 15 day of October, 1985.

CARMEL CITY PLAN COMMISSION


William H. Merrill, President


Rosalind McCart, Secretary

RECEIVED FOR RECORD
AT 10:00 O'CLOCK A M

JUN 25 1986

BOOK 13 PAGE 6
Mary B. Clark
RECORDER HAMILTON COUNTY, INDIANA

SHEET 3 OF 5

THIS INSTRUMENT PREPARED BY Alex D. Oak, R.L.S.

P.I.C. # 85100-00100

3. **FRONT YARD LIGHTS:** At the time that the owner of the lot in the Development completes the construction of a home on his lot, he shall install or cause to have installed a dusk to dawn yard light in the front yard of his lot. The design, type and location of the yard light shall be subject to the approval of the Committee which may require, for the purpose of uniformity and appearance, that said yard light be purchased from the Developer or its designee.
4. **MAILBOXES:** Owners of a lot in the Development shall install or cause to have installed a mailbox which shall be in accordance with the design, type and location of a mailbox approved by the Committee. The Committee may require, for the purpose of uniformity and appearance, that the mailbox be purchased from the Developer or its designee.
5. **FENCES:** No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the street, shall be placed or permitted on any corner lot within the triangular area formed by the street property lines and a line connecting points 25 feet from the intersection of said street lines. No trees shall be permitted to remain within said distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.
6. **RESIDENTIAL SETBACK REQUIREMENTS:**
 - A. **In General.** Unless otherwise provided in these restrictions or on the recorded plat, no dwelling house or above grade structure shall be constructed or placed on any residential lot in the Development except as provided herein.
 - B. **Definitions.** "Side line" means a lot boundary line that extends from the road on which a lot abuts to the rear line of said lot. "Rear line" means that 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 set back lines shall be the designated number of feet from the right-of-way of the road upon which the lot abuts as set forth upon the plats of the Development. In no event, however, shall the front building set back lines be less than 35 feet from the right-of-way which the lot abuts.
 - D. **Side Yards.** The side yard set back lines shall not be less than 10 feet from the side line of the lot on one side and the total of both side yards shall be not less than 25 feet.
 - E. **Rear Yards.** The rear set back line shall be at least 20 feet from the rear line except for those lots which include a portion of or abuts, joins or are located adjacent to the Panhandle Eastern Pipeline Easement in which case the rear set back line shall either be the outer boundary line of the easement or a distance of 20 feet from the rear line of the lot, whichever is greater.
 - F. **Lots which Fall within the Panhandle Eastern Pipeline Easement.** For those lots which fall within the Panhandle Eastern Pipeline Easement, the front yard, side yard, and/or rear yard set back requirements shall be the greater of either the distances and requirements contained in subparagraphs (C), (D), and/or (E) above or the distance from the Panhandle Eastern pipe to the outer boundary line of the easement, as measured at right angles.
 - G. **Structures, Fences, Excavation, Pools, Etc. Prohibited in Panhandle Eastern Pipeline Easement.** No permanent or non-permanent buildings, structures, fences or improvements of any kind or type shall be placed in the Panhandle Eastern Pipeline Easement except public roads, streets, and public utilities. Also, no lot owner shall permit any excavation or earth moving of any kind within the easement.
7. **DEVELOPMENT CONTROL COMMITTEE:** Prior to application for Improvement Location Permit from the Department of Community Development of the City of Carmel for the construction of a residence or other structure, site plans and building plans shall be approved in writing by the Development Control Committee as defined in the Declaration of Restrictions. Such approval shall include building design, color and location, tree preservation, and proposed landscaping.
8. **CONTROLLING DOCUMENTATION:** The restrictions contained in the plat are an implementation of the Declaration of Springmill Crossing, recorded as Instrument number 86-6804, in the Office of the Recorder of Hamilton County, Indiana. In the event of a discrepancy between these Plat Restrictions and the Declaration, then the Declaration shall control.
9. **DURATION:** These covenants are to run with the land, and shall be binding to all parties and all persons claiming under them until January 1, 2080 at which time said covenants and restrictions shall be automatically extended for successive periods of ten (10) years, unless changed in whole or in part by vote of those persons who are then the owners of a majority of the numbered lots in the development.
10. **ENFORCEMENT:** The right of enforcement of each of the foregoing restrictions by injunction, together with the right to cause the removal by due process of law of structures erected or maintained in violation thereof, is reserved to the Development Control committee, the owners of the lots in the subdivision, their heirs, successors or assigns, who are entitled to such relief without being required to show any damage of any kind to the Control Committee, any owner or owners, by or through violation or attempted violation. The right of enforcement of the covenants is hereby also granted to the Carmel Department of Community Development, its successors or assigns.
11. **SEVERABILITY:** Every one of the Restrictions is hereby declared to be independent of, or severable from, the rest of the Restrictions and of and from every other one of the Restrictions, and of and from every combination of the Restrictions. Therefore, if any of the Restrictions shall be held to be invalid or to be unenforceable, or to lack the quality of running with the land, that holding shall be without effect upon the validity, enforceability or "running" quality of any other one of the Restrictions.

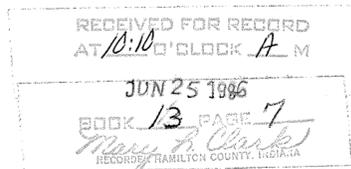
Under authority provided by Title 36, Acts of 1981, P.L. 309 Section 23, As Amended by Acts of 1982, P.L. 211 Section 4, enacted by the General Assembly of the State of Indiana, and all acts amendatory thereto and an Ordinance adopted by the Common Council of the City of Carmel, Indiana, this plat was given approval by the City of Carmel as follows:

Adopted this 15 day of October, 1985.

CARMEL CITY PLAN COMMISSION

William H. Merrill
William H. Merrill, President

Rosalind McCart
Rosalind McCart, Secretary



12. OWNERSHIP, USE AND ENJOYMENT OF COMMONS AND RECREATIONAL FACILITIES (BLOCK "A"): "Commons", "Common Area", and "Recreational Facilities" shall mean those areas set aside for conveyance to the Association, as shown on the plat. Any commons and recreational facility depicted on the recorded plats of the Development shall remain private, and neither the Developer's execution of recording of the plats nor the doing of any other act by the Developer is, or is intended to be, or shall be construed as, a dedication to the public of the commons or recreational facilities.

A license upon such terms and conditions as the Developer, and the successors, assigns or licenses of the Developer, shall from time to time grant, for the use and enjoyment of the commons, and any recreational facilities, is granted to the persons who are from time to time members of the Association. Ownership of any commons and recreational facilities shall be conveyed in fee simple title, free of financial encumbrances to the Association upon their completion. Such conveyance shall be subject to easements and restrictions of record, and such other conditions as the Developer may at the time of such conveyance deem appropriate. Such conveyance shall be deemed to have been accepted by the Association and those persons who shall from time to time be members thereof upon the recording of a deed or deeds conveying such commons and recreational facilities to the Association. In addition to the pool, pool accessory building and other common areas, the 20' planting strip easement along 136th Street and along Springmill Road shall be conveyed by the Developer to the Association which shall maintain the same.

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Personally appeared before me the undersigned, a Notary Public, and and for said County and State, The Shorewood Corporation, by Stanley E. Hunt, President, and John F. Culp, Assistant Secretary and acknowledge execution of the above and foregoing certificate as its and their voluntary act and deed for the uses and purposes therein expressed.

Date this 17 day of October, 1985.

THE SHOREWOOD CORPORATION
100 Clarendon Drive
Noblesville, IN 46060

Stanley E. Hunt
Stanley E. Hunt, President

John F. Culp
John F. Culp, Assistant Secretary

LAND SURVEYOR
Paul I. Cripe, Inc.
7172 Graham Road
Indianapolis, IN 46250
(317) 842-6777

Marilyn L. Dwyer
Notary Public (MARILYN L. DWYER)

My Commission Expires:

10-14-88



County of Residence:

Boone

UNDER AUTHORITY PROVIDED BY TITLE 36, ACTS OF 1981, P.L. 309 SECTION 23, AS AMENDED BY ACTS OF 1982, P.L. 211 SECTION 4, OF THE GENERAL ASSEMBLY, STATE OF INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF HAMILTON, AT A MEETING HELD ON THE DAY OF May, 1985

Polly Pearce
Auditor, Polly Pearce

Phil Henderson
President, Phil Henderson

Jere Roudebush
Member, Jere Roudebush

George F. Stevens
Member, George F. Stevens

Under authority provided by Title 36, Acts of 1981, P.L. 309 Section 23, As Amended by Acts of 1982, P.L. 211 Section 4, enacted by the General Assembly of the State of Indiana, and all acts amendatory thereto and an Ordinance adopted by the Common Council of the City of Carmel, Indiana, this plat was given approval by the City of Carmel as follows:

Adopted this 15 day of October, 1985.

CARMEL CITY PLAN COMMISSION

William H. Merrill Rosalind McCart
William H. Merrill, President Rosalind McCart, Secretary

RECEIVED FOR RECORD
AT 11:10 O'CLOCK A M

JUN 25 1985

BOOK 13 PAGE 3
Mary B. Clark
RECORDER HAMILTON COUNTY, INDIANA

