WELBORN HILL

A SUBDIVISION of BLOCK 5, IGLEHART PARK

#9364

STATE OF INDIANA) S.S.
VANDERBURGH COUNTY)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED THE UNDERSIGNED PROPERTY OWNER AND ACKNOWLEDGED THE EXECUTION OF THIS PLAT.

JAMES Y. WELBORN JR.

WITNESS MY HAND AND SEAL THIS 27TH DAY OF JULY 1945

(SEAL) SUSANNA J. BULLOCK NOTARY PUBLIC
MY COMMISSION EXPIRES APRIL 28, 1949

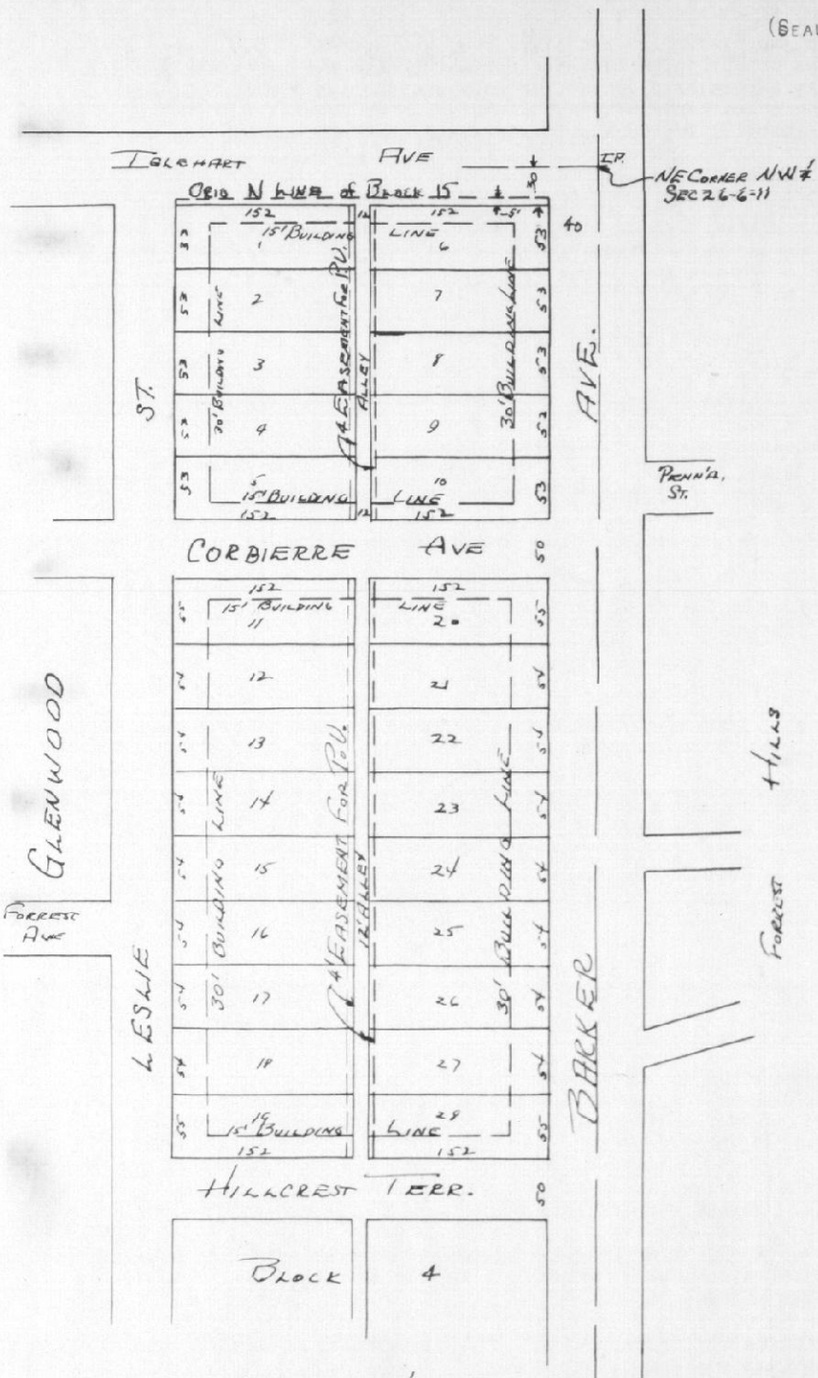
THE UNDERSIGNED CIVIL ENGINEER AND SURVEYOR HEREBY CERTIFIES THAT THE ABOVE PLAT IS A CORRECT DRAWING OF A SURVEY MADE ACCORDING TO THE ABOVE DESCRIPTON.

CHARLES E. DAY

(SEAL)
CHARLES E. DAY
PROFESSIONAL ENGINEER
REGISTERED No. 2060
STATE OF INDIANA

APPROVED BY CITY PLAN COMMISSION OF EVANSVILLE, INDIANA
PLAT RECORD No. 45-10 PAGE ___

ARTHUR H. DEITSCH, PRES.
FRANK E. FOWLER, SEC.





SCALE-1"=100'

THE CONDITIONS, RESERVATIONS AND PROTECTIVE COVENANTS FOR WELBORN HILL

CONDITIONS, RESTRICTIONS, RESERVATIONS, AND PROTECTIVE COVENANTS UPON THE USE OF ALL LOTS AND PARCELS IN THE PLAT OF WELBORN HILL, A SUB DIVISION LYING NEAR THE CITY OF EVANSVILLE, VANDERBURGH COUNTY, INDIANA, ACCORDING TO THE RECORDED PLAT THEREOF.

1A. ALL LOTS IN THIS TRACT SHALL BE KNOWN AND DESCRIBED AS RESIDENTIAL LOTS, EXCEPT ALL RESIDENTIAL LOTS SHALL BE SOLD AND USED SOLELY FOR RESIDENTIAL PURPOSES, AND SHALL NOT BE USED FOR ANY BUSINESS OR COMMERCIAL PURPOSES. NO STRUCTURE SHALL BE ERECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY RESIDENTIAL BUILDING PLOT OTHER THAN ONCE DETACHED SINGLE FAMILY DWELLING AND NOT LARGER THAN A TWO CAR GARAGE IN CONNECTION THEREWITH, AND APARTMENTS BUILDING NOT EXCEEDING 2 FLOOR ABOVW STREET LEVEL.

1-B. ANY TWO OR MORE LOTS IN THIS SUBDIVISION, IN ADDITION TO BEING USED FOR RESIDENTIAL PURPOSES, MAY BE USED FOR THE CONSTRUCTION OF A CHURCH AND FOR NO OTHER PURPOSE, PROVIDED THE CHURCH BUILDING AND USE THEREOF DOES NOT VIOLATE ANY OF THE OTHER RESTRICTIONS UPON THE USE OF PROPERTY IN THIS SUBDIVISION AND PROVIDED FURTHER, THAT NO PART OF SAID CHURCH BUILDING SHALL BE CLOSER THAN FORTY (40) FEED TO THE LINES OF ANY ADJOINING LOT NOT OWNED BY SAID CHURCH.

2-A. NO BUILDING SHALL BE LOCATED ON ANY RESIDENTIAL LOT IN THIS SUBDIVISION NEARER THAN FIVE (5) FEET TO ANY SIDE LOT LINES, EXCEPTING THAT WHERE THE SIDE OF A LOT IN BOUNDED BY A STREET LINE THEN THE BUILDING LINE SHALL BE IN ACCORDANCE WITH THE SET-BACK LINES AS SHOWN AND DRAWN ON THE RECORDED PLAT.

2-B. NO BUILDING SHALL BE LOCATED ON ANY RESIDENTIAL LOT IN THIS SUBDIVISION NEARER THAN FIVE (5) TO ANY SIDE LOT LINE AND PROVIDED FURTHER THAT FOR THE PURPOSE OF THIS CONDITION AND RESTRICTIONS ALL ADJOINING LOTS OWNED BY ONE PERSON AND USED AS A SINGLE BUILDING SITE SHALL BE CONSIDERED ONE LOTS SO THAT THE RESTRICTIONS THAT NO BUILDING SHALL BE ERECTED NEARER THAN FIVE (5) FEET TO THE SIDE LINE OF ANY LOT SHALL MEAN THE SIDE LINE OF ANY ONE OR MORE LOTS USED BY A SINGLE OWNER AS A SINGLE BUILDING SITE.

3. NO PERSONS OF ANY RACE OTHER THAN THE WHITE OR CAUCASIAN SHALL OWN, USE OR OCCUPY ANY OF SAID LOTS, OR ANY BUILDINGS, THEREON, EXCEPT THAT THIS RESTRICTION SHALL NOT PREVENT OCCUPANCY BY DOMESTIC SERVANTS OF A DIFFERENT RACE EMPLOYED BY OR DOMICILED WITH AN OWNER OR TENANT.

4. NO TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUT-BUILDINGS ERECTED OR PLACED UPON ANY LOT IN THIS PLAT SHALL AT ANY TIME BE USED AS RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY. NO HUT, TRAILER OR OTHER STRUCTURE OF A TEMPORARY CHARACTER SHALL BWE PLACED OR USED AS A RESIDENCE OF SAID LOTS.

5. NO RESIDENTIAL IMPROVEMENTS SHALL BE CONSTRUCTED ON THE RESIDENTIAL LOTS AT A COST OF LESS THAN $4,500.00 EXCLUSIVE OF OUT-BUILDINGS.

6. NO STRUCTURE SHALL BE MOVED ONTO ANY OF SAID LOTS. ALL STRUCTURES ERECTED ON SAID LOTS SHALL BE NEWLY ERECTED THEREON OF NEW MATERIAL.

7. UNTIL SUCH TIME AS A SANITARY SEWER SYSTEM SHALL HAVE BEEN CONSTRUCTED IN THE TRACT, A SANITARY SEPTIC TANK AND AN APPROVED MTHOD OF SECONDARY SEWAGE TREATMENT, SHALL BE INSTALLED FOR EACH DWELLING ERECTED IN THE TRACT, SUCH SEPTIC TANK AND SECONDARY TREATMENT SHALL BE OF A TYPE AND CONSTRUCTION AND SO LOCATED ON THE INDIVIDUAL LOT AS TO BE APPROVED BY THE INDIANA STATE BOARD OF HEALTH, AND NO SANITARY PROVISION OR DEVICE FOR SEWAGE DISPOSAL SHALL BE INSTALLED OR PERMITTED TO REMAIN IN SAID TRACT.

8. THESE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 1970, AT WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF 10 YEARS UNLESS BY VOTE OF A MAJORITY OF THEN OWNERS OF THE LOTS IT IS AGREED TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.

9. IF ANY PERSON OR PERSONS SHALL AT ANY TIME VIOLATE OR ATTEMPT TO VIOLATE ANY OF THE RESTRICTIONS OR COVENANTS HEREIN SET OUT, ANY OWNER OF ANY REAL ESTATE SITUATED IN THIS PLAT SHALL HAVE THE RIGHT TO ENFORCE BY INJUNCTION OR OTHERSIDE SAID CONDITIONS AND RESTRICTIONS AND INSTITUTE SAID RESTRICTIONS AND COVENANTS BOTH TO PREVENT THE VIOLATION THEREOF AND TO RECOVER DAMAGES FOR ANY SUCH VIOLATION.

(FOR CONTINUATION OF RESTRICTIONS OF WELBORN HILL SEE PAGE 21)