



Provisions to be included on Plats:

1. The streets and rights of way shown hereon, subject to construction standards and acceptance, are hereby dedicated to public use, and the public improvements thereon owned and maintained by the governmental body having jurisdiction over them.
2. There are strips of ground as shown on the Plat marked “D & U.E.” (drainage and utility easement). These strips are reserved for public utilities, not including transportation companies, for the installation and maintenance of poles, mains, sewers, drainage facilities, ducts, lines and wires subject at all times to the proper authorities and to the easements herein reserved. No permanent or other structure of any kind are to be erected or maintained upon said strips of ground. 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.
3. Any field tile or underground drain which is encountered in construction of improvements within this subdivision shall be perpetuated and all owners of lots in this subdivision their successors and assigns shall comply with Ind. Code § 36-9-27, and any amendment thereof or any replacement statute.
4. Drainage swales (ditches) along the roadways and within the right of way and on dedicated easements are not to be altered, dug out, filled in, tiled or changed otherwise without the written permission of the Greenwood Board of Public Works and Safety. Property owners must maintain these swales as sodded grass ways or other non-eroding surfaces. Water from roofs or parking areas must be contained on the property long enough so that said drainage swales (ditches) will not be damaged by such water. Driveways must be constructed over these swales or ditches only when appropriate structures have been permitted by the Greenwood Board of Public Works and Safety.
5. Any property owner altering, changing, or failing to maintain these drainage swales (ditches) will be held responsible for such action and will be given 10 days’ notice by certified mail to repair said damage, after which time if no action is taken by the owner, the Greenwood Board of Public Works and Safety will cause such repairs to be accomplished and the costs for such repairs will be the burden of the owner of the property. Failure to pay will result in a lien against the property.

6. There are strips of ground, shown on the plat, marked “No Access Easement” (N.A.E.) which prohibit ingress/egress across said strip. No drives are to be constructed across said strip.
7. The strips of ground shown on the Plat and marked “Sanitary Sewer, Drainage, and Utility Easement” (S.S. D. & U.E.) are reserved for the use of the public utilities for the installation of water mains, poles, ducts, lines and wires, and the drainage facilities. Said strips are primarily reserved to the City of Greenwood for the installation and maintenance of sanitary sewer mains and appurtenances and stormwater drainage infrastructure and appurtenances, subject at all times to the proper authorities and to the easement herein reserved. Other utilities may also utilize the easement provided said installation or use does not interfere, utilize, damage, or disturb infrastructure installed and/or maintained by the City of Greenwood. Prior coordination with utilities operated by the city of Greenwood shall be required prior to the installation of improvements in said easements. No permanent or other structures are to be erected or maintained upon said strips of land; but owners of the 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.
8. Where sanitary discharge can enter into a public or private sanitary sewer system by 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 the discharge cannot enter a system by gravity flow the effluent shall be directed into a tightly covered and vented sump from which the effluent shall be lifted and discharged into the system a minimum of 12 inches above the top of the lowest downstream or upstream manhole casting nearest to the subject lateral connection.
9. The sanitary sewer, and the connection thereto, shall be used only for and as a sanitary sewer system. No stormwater, run-off water, downspouts, footing drains (perimeter drains), or subsoil drainage shall be connected to the sanitary sewer system. No sump pumps shall be connected to the sanitary sewer system. All sump pumps to be installed on any lot of this development must be connected, via a hard pipe connection, to a defined stormwater drainage system in a manner which is acceptable to the City of Greenwood.
10. No fence, wall, hedge, tree or shrub planting or other similar item which obstructs sight lines at an elevation between 2.5 and 8 feet above the street, shall be permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points 25 feet from the intersection of said street lines (25 feet for minor streets and 50 feet for arterial streets), or in the case of a rounded property corner, from the intersection of the street right-of way lines extended.

11. The same sight line limitations shall apply to any lot within 10 feet from the intersection of a street right-of-way line with the edge of a driveway pavement or alley line. No driveway shall be located within 70 feet of the intersection of two street centerlines. If the available distance is less than 70 feet, the driveway shall be located at the greatest distance from the intersection of the street centerlines.

12. **FOR RESIDENTIAL:**

This subdivision has been designed to include a stormwater quality best management practice (BMP(S) that must be maintained by the BMP(S) owner. Said BMP(S) is currently maintained by the developer, however upon the activation of the homeowners association, the operations and maintenance manual for such BMP(S) shall become the responsibility of said association subject to all fees and other City requirements.

**FOR COMMERCIAL / INDUSTRIAL:**

This subdivision has been designed to include a stormwater quality best management practice BMP(S) that must be maintained by the lot/block owners. Said BMP(S) is currently maintained by the developer; however, upon the activation of the owner's association, the operation and maintenance manual for such BMP(S) shall become the responsibility of the owner's association, and all expenses associated therewith shall be paid by the owner's association, subject to all fees and other city requirements, all of which shall ultimately be the financial responsibility of the lot/block owners, all as more fully set forth in the code of by-laws for the owner's association.

13. Sump pump lateral and underdrain pipes for sump pump laterals, located within drainage easements, are to be privately owned and maintained by the owner, property owner's association, or homeowner's association, individual sump pump laterals are to be maintained by individual lots owners.

**SITUATIONAL ONLY COVENANTS AND RESTRICTIONS**

**Note: Include on all residential plats, include only on commercial/industrial plats that have storm sewers within public right-of-way.**

14. Storm sewers and tile drains 12-inch or larger within designated drain easements are extensions of the City of Greenwood Stormwater Drainage System and are the responsibility of the City. Drainage swales, detention and retention ponds, and post construction stormwater quality measures shall be the responsibility of the owner, property owner's association, or homeowner's association. If no property owner's association or homeowner's association exists or a property owner's association or

homeowner's association is inactive or dissolves, owners of each lot shall be equally responsible for maintenance. In the event the property owner(s) or the association fails to exercise its obligation, the City of Greenwood may perform the required maintenance and shall have the right to assess each lot in the subdivision a proportionate amount of the associated costs. If necessary, a Notice of Lien shall be filed against the affected lots. The lien shall be enforced in the same manner as a mortgage lien under Indiana Law and, therefore, shall include reimbursement of attorney's fees, title expenses, interest, and costs of collection.

***Note: For most projects sidewalks shall be located in public right-of-way, this usually will not apply.***

15. There are strips of ground as shown on the plat marked Sidewalk Easement which are reserved for public walkways and pathways. No permanent structure or obstructions shall be erected or maintained upon this strip of land.

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*City of Greenwood Staff reserves the right to request modifications and additional covenants and restrictions throughout the review process that may not be provided for on this list.*