

ORDINANCE NO. 10, 1950

CHAPTER 300

AN ORDINANCE PROVIDING for the control OF THE SUBDIVISION OF LAND AND THE APPROVAL OF PLATS AND REPLATS OF LAND, WITHING THE JURISDICTION OF THE BLOOMINGTON CITY PLAN COMMISSION, AS A PART OF THE MASTER PLAN FOR THE CITY OF BLOOMINGTON, INDIANA.

NOW BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, UNDER AUTHORITY OF CHAPTER 174, ACTS OF 1947, GENERAL ASSEMBLY OF THE STATE OF INDIANA.

TITLE I ESTABLISHMENT OF CONTROL

Section 301. No plat or replat of a subdivision of land located within the territorial jurisdiction of the Bloomington City Plan Commission shall be recorded until it shall have been approved by the Bloomington City Plan Commission, and such approval shall have been entered in writing on the plat by the President and Secretary of the Commission.

TITLE II DEFINITIONS

Section 302 For the purpose of this ordinance certain terms or words used herein shall be interpreted or defined as follows:

Words used in the present tense include the future tense. The term "shall" is always mandatory.

ALLEY:

A permanent service way providing a secondary means of access to a butting lands.

BUILDING SET BACK LINES:

The line nearest the front and across a lot establishing the front line of a buildings and structures.

BUTT LOTT:

A lot laid out to front on a street intersecting the streets on which the majority of the lots within the block front.

CITY:

The City of Bloomington, Indiana.

COMMISSION:

The Bloomington City Plan Commission.

CUL DE SAC (Court or Dead End Street)

A short street having one end open to traffic and being permanently terminated by a vehicle turnaround.

EASEMENT:

A grant by the property owner of the use of a strip of land by the public, a corporation, or persons, for specified purposes.

LOT:

A portion of a subdivision, or other parcel of land intended as a unit for transfer of ownership or for development.

MASTER PLAN:

The complete plan, or any of its parts, for the development of the City of Bloomington, prepared by the Commission and legally adopted.

PLAT:

A map or chart indicating the subdivision or re-subdivision of land, intended to be filed for record.

STREET:

A right-of-way, dedicated to the public use, which affords the principal means of access to abutting property.

SUBDIVISION:

A division of a lot, tract or parcel of land into two or more lots or other divisions of land for the purpose, immediate or future, of transfer of ownership, or development, including all changes in street or lot lines. Divisions of land for agricultural purposes in parcels of ten (10) or more acres, not involving any new street or easement of access, shall not be interpreted as a subdivision.

TERRITORIAL JURISDICTION:

The City of Bloomington, Indiana, and such contiguous unincorporated area as shown on a map on file with the County Recorder, Monroe County, Indiana, as does now or hereafter may have legal effect.

THOROUGHFARE PLAN:

The part of the master plan which sets forth the location, alignment and dimensions of existing and proposed public streets.

TITLE III REQUIREMENTS AND PRINCIPLES

In considering the approval of a plat, the Commission shall observe and enforce the following requirements:

Section 303. DESIGN

1. No land shall be subdivided for residential use if such land is considered by the Commission to be unsuitable for such use by reason of flooding or improper drainage, objectionable earth and rock formation topography or any other feature harmful to the health and safety of possible residents and the community as a whole.
2. All proposed subdivisions shall conform to the Thoroughfare Plan, as set out in Ordinance No. 7, 1950. Whenever a tract to be subdivided embraces any part of a major street, boulevard, or parkway so designated on the Thoroughfare Plan, such part of such proposed public way shall be platted by the subdivider in the locations and of the width indicated on the Thoroughfare Plan. Due consideration shall also be given by the subdivider and owners of adjoining property for the provision of school sites, park sites, rights-of-way for public utility lines, sites for business centers, industrial locations, and other features as indicated on the Master plan.
3. Street and Alley Location and Arrangement.
  - (a) The street and alley layout shall conform to the neighborhood plan adopted by the Commission for the development of the neighborhood in which the proposed subdivision is located.
  - (b) Proposed streets shall be adjusted to the contour of the land so as to produce useable lots and streets of reasonable gradient.

- (c) Certain proposed streets shall be extended to the boundary line of the tract to be subdivided so as to provide for normal circulation of traffic within the vicinity.
- (d) Whenever there exists a dedicated or platted half-street or alley adjacent to the tract to be subdivided, approved by the Commission, the other half shall be platted. Other half streets along the boundary of the land proposed for subdivision will be permitted only if the owner of the adjoining undeveloped land simultaneously dedicates the other half of such street.
- (e) Alleys shall be provided in all parts of the proposed subdivision which are designated as Commercial or Industrial Districts by Section 111, Ordinance No. 6, 1950. Except where justified by extreme conditions, alleys will not be approved in those parts of the proposed subdivision located in Residential Districts.

4. Minimum Street and Alley Widths.

- (a) Major streets shall have widths not less than indicated on the Thoroughfare Plan, Ordinance No. 7, 1950.
- (b) Other Streets, sixty (60) feet.
- (c) Dead-end streets, forty (40) feet. All dead-end streets shall terminate in a circular right-of-way within a minimum diameter of eight (80) feet, unless the Commission approves as equally safe and convenient form of space instead of the required turning circle..
- (d) Alleys, twenty (20) feet.

5. Maximum Grades.

- (a) Major streets, not greater than six (6) per cent.
- (b) Other streets and alleys, not greater than eight (8) per cent.
- (c) The minimum grade of any street gutter shall not be less than one-half ( $\frac{1}{2}$ ) per cent.

6. Vertical Curves.

- (a) Major streets, minimum sight distance of six hundred (600) feet, measured between points five (5) feet above center line of roadway.
- (b) Other streets, minimum sight distance of three hundred (300) feet measured between points five (5) above center line of roadway.

7. Minimum Radii of Curvature on the Center Line.

- (a) Where a deflection angel of more than ten (10) degrees in the alignment of a street occurs a curve shall be introduced, for:
- (b) Major streets, of eight hundred (800) feet;
- (c) Other streets, of two hundred (200) feet.

8. Tangents.

Between reversed curves there shall be not less than a minimum tangent for:

- (a) Major streets, of two hundred (200) feet.
- (b) Other streets, of one hundred (100) feet.

9. Intersections.

- (a) At street intersections, property line corners shall be rounded by an arc at least twenty (20) feet in radius.
- (b) At alley intersections, property line corner shall be rounded by an arc at least fifteen (15) feet in radius.
- (c) All streets intersecting a major street shall do so at right angles or as nearly so as is possible. Where the intersection angle is less than sixty (60) degrees, the foregoing radii shall be increased not less than forty (40) per cent and the commission will require a grading plan showing existing and proposed contours, based on the city datum, at one (1) foot intervals.

10. Blocks.

- (a) The width of blocks shall be sufficient to allow two tiers of lots as described in Section 303. 11 (a)
- (b) Blocks shall not exceed fourteen hundred (1400) feet in length.
- (c) The length of dead-end streets shall not exceed six hundred (600) feet.
- (d) A cross-walk or pedestrian-way, not less than ten (10) feet in width, shall be provided near the center, and entirely across any block that is more than one thousand (1000) feet long.

11. Lots.

- (a) In any Residence District described by Ordinance No. 6, 1950, the minimum width and area for lots shall conform to the requirements of Sections 113 and 114 of said Ordinance, but in no case shall the width be less than fifty (50) feet at the front line and at the setback line, and the area contain less than six thousand (6000) square feet. Where property is located in a Commercial or Industrial District, described by Ordinance No. 6, 1950, the minimum permissible lot size and frontages shall be at the discretion of the Commission which shall give due consideration to the requirements of Sections 116, 117, 118, 119 and 120 of said Ordinance.
- (b) The depth-to-width ratio of the usable area of a lot shall be a maximum of 4.0 to 1.
- (c) Building setback lines shall not be less than thirty (30) feet in all residence districts and shall be established in all commercial and industrial districts in accordance with Sections 116, 117, 118, 119 and 120 of Ordinance No. 6, 1950. All corner lots in residence districts described in said Ordinance shall have extra width as will permit the establishment of side yard building lines of twenty-five (25) feet on the side street side.
- (d) Side lines of lots shall be at right angles or radial to street lines.
- (e) Every lot shall abut on a street.
- (f) Through lots having frontage on two (2) parallel or approximately parallel streets shall not be permitted.
- (g) Butt lots will prohibited in blocks exclusively residential.
- (h) Except where alleys are provided for the purpose, each lot shall have an easement for utility lines along the rear lot line and along the side lot line where necessary. No easement shall be less than six (6) feet wide on each lot making an overall easement width of twelve (12) feet. Additional easement width shall be established when sanitary sewer depths exceed five (5) feet.

(i) When the terrain so requires, easements for sanitary sewers along lot lines other than the rear lot lines, shall be provided.

12. Public Spaces.

Whenever park, recreation area, school sites or other open space shown on the Master Plan is located in whole or in part in the proposed subdivision, the Commission may require the dedication or reservation of those spaces when the future population of the City requires the establishment of such recreational and educational facilities.

13. Monuments and Markers.

Monuments shall be of concrete with dimensions of 4" x 4" at top, 6" x 6" at bottom and 36" long, with a copper dowel 3/8" in diameter, at least 2 1/2" in length imbedded so that the top of the dowel shall be flush with the surface and at the center of the monument.

Monuments shall be set so that the top is level with the established grade adjoining it and placed so that the marked point on the metal center shall coincide exactly with the intersection of street property lines, the intersection of all angles in the boundary line, at the beginning and ending of all curves along streets and alleys and where such curves intersect lot lines.

Lot corners not marked by concrete monuments as required above, shall be marked by galvanized or wrought iron pipe, or iron or steel bars at least 3 feet in length and not less than one (1) inch in diameter, the tip of the pipe or bar to be set level with the established grade of the ground adjoining it.

Section 304. REQUIRED IMPROVEMENTS.

1. Streets and alleys shall be completed to grades shown on plans and profiles prepared by the subdivider and approved by the Board of Public Works.

The streets shall be surfaced and improved in the manner determined by the Board of Public Works, but in no case shall the surfacing consist of less than six (6) inches of well compacted crushed stone or road gravel of a type approved by the Board of Public Works, and such surfacing shall have a minimum width equal to forty (40) per cent of the dedicated street width, but in no case shall the width of the surface be less than eighteen (18) feet.

2. Sewers.

A. In area ("A", shown on the accompanying map entitled: "Sewer and Water Improvement Areas", which is a part of this ordinance, the subdivider shall provide the subdivision with a complete public sewer system, which shall connect with a sanitary sewer outlet. The plans for the public sewer system shall be approved by the Board of Public Works and the State Board of Health.

B. In Area "B", shown on the accompanying map, the subdivider shall provide the subdivision with a complete public sewer system or for the disposal of sanitary sewage by means of septic tanks with absorption systems or seepage pits, all constructed according to the minimum requirements of the State Board of Health. The subdivider shall present with his application the results of soil absorption tests, made by a professional engineer, and one such test shall be made on each acre of land included in the subdivision, which shall show the rate of percolation of water into the soil in each of the test holes. When the test holes indicate that water will fall one inch in sixty (60) minutes or less, an absorption system shall be required and unobstructed and otherwise unused area shall be reserved on each lot in the subdivision for the absorption system in accordance with the following schedule:

<u>Time required For Water To Fall One Inch, in Minutes.</u>	<u>Lot Area Required, in Square Feet, For Absorption Systems</u>
2 to 10	660
10 to 15	808
15 to 30	1217
30 to 60	1694

The position of the absorption system for each lot shall conform with the following minimum separation standards:

- (a) 5 feet from property line
- (b) 10 feet from large trees
- (c) 20 feet from a dwelling
- (d) 25 feet from any stream
- (e) 50 feet from any water supply

When the results of the soil absorption tests shows that the time required for water to fall one inch is more than sixty (60) minutes, seepage pits (dry wells) shall be required and the position of the seepage pit on each lot shall conform to the following minimum separation standards:

- (a) 10 feet from any property line
- (b) 20 feet from any dwelling
- (c) 100 feet from any water supply

In this subsection B and subsection B of the next paragraph 3., Water, the phrase "the subdivider shall provide" shall be interpreted to mean that the subdivider shall install the facility referred to, or that the subdivider shall require, as a condition of the sale of each lot or parcel in the subdivision, that the facilities referred to in these subsections shall be installed by the developer of the lot in accordance with these regulations.

### 3. Water.

- A. In Area "C" shown on the accompanying map, the subdivider shall provide the subdivision with a complete water main supply system which shall be connected with and become a part of the city, or community water supply system.
- B. In area "D" shown on the accompanying map, the subdivider shall provide the subdivision with a complete water main supply system or a private water supply for each lot to be installed in accordance with the minimum requirements of the State Board of Health, and such supply shall be located on the lot in conformance with the following minimum separation standards:
  - (a) 10 feet from water tight cast iron sewers and drains,
  - (b) 15 feet from property lines,
  - (c) 50 feet from septic tanks,
  - (d) 50 feet from vitrified clay or concrete sewers,
  - (e) 100 feet from seepage pits (dry wells)
  - (f) 150 feet from cesspools.

### 4. Storm Drainage.

The subdividers shall provide the subdivision with an adequate storm water sewer system whenever the evidence available to the Board of Public Works indicates the natural surface drainage is inadequate. When the surface drainage is adequate, easements for such surface drainage shall be provided.

### 5. Street Signs.

The subdivider shall provide the subdivision with standard City street signs at the intersection of all streets.

## 6. Street Trees.

The subdivider shall provide the subdivision with street trees selected from a list of trees recommended by the City Superintendent of parks at intervals of forty (40) to sixty (60) feet between street intersections and on both sides of each street. The position of the trees in the street shall be determined by the Board of Public Works.

### Section 305. VARIANCE AND MODIFICATION

1. Where the subdivider can show that a provision of paragraphs 5, 6, 7, 8, or 9 of Section 303 or paragraphs 5 or 6 of Section 304 of these Regulations would cause unnecessary hardship if strictly adhered to and where, in the opinion of the Commission because of topographical or other conditions peculiar to the site, a departure may be made without destroying the intent of such provision, the Commission may authorize a variance. Any variance thus authorized is required to be entered in the minutes of the Commission and the reasoning on which the departure was justified set forth.
2. The foregoing requirements and principles of land subdivision may be modified by the Commission in the case of a subdivision proposed as a neighborhood development unit under the provisions of Section 110, Ordinance No. 6, 1950.

## TITLE IV. PROCEDURE

### Section 306. APPLICATION.

1. Whenever any subdivision of land is proposed to be made the subdivider or his agent shall submit a written application for a certificate of approval and two copies of a preliminary plat of said subdivision with the Commission, at least ten (10) days before the meeting at which the Commission is expected to consider said application and plat.
2. The application shall specify the intent of the subdivider with respect to the land use, drainage, sewage disposal, water supply and street improvements proposed for the subdivision; if any deed restrictions are to be placed upon the property to be subdivided and the expected date of its development.
3. At the time of filing an application for approval of a plat, the application shall be accompanied by a certified check or money order of ten (10) dollars plus one (1) dollar for each lot in the proposed subdivision payable to the City Clerk-Treasurer in the amount to cover the cost of checking and verifying the proposed plat.

Upon the acceptance of the application by the Commission, the Secretary shall surrender the check or money order to the City Clerk-Treasurer for deposit in the General Fund of the City of Bloomington.

### Section 307. PRELIMINARY PLAT.

The preliminary plat shall be prepared in accordance with TITLE III and shall be presented as follows:

1. The plat shall be drawn at a scale of one hundred (100) feet to one (1) inch on a sheet or sheets twenty (20) by twenty-four (24) in size except that when the drawing at that scale requires more than two sheets, the plat may be drawn at a scale of two hundred (200) feet to one (1) inch.
2. The plat shall include a vicinity key map at an appropriate scale showing the layout of the proposed subdivision and all existing subdivision, street and tract lines of acreage parcels of land immediately adjoining the proposed subdivision and between it and the nearest existing thoroughfares. It shall also show how streets and alleys in the proposed subdivision may connect with existing and proposed streets and alleys in the neighborhood subdivision or undeveloped property to produce the most advantageous development of the entire neighboring area.

3. The Plat shall contain the following information:

(a) Description.

- (1) Proposed name of the subdivision.
- (2) Location by section, township and range, or by other legal description.
- (3) Name and address of subdivider.
- (4) Name, address and seal of registered professional engineer or land surveyor preparing the plat.
- (5) Scale of plat, north point and date.

(b) Existing Conditions.

- (1) Boundary line of proposed subdivision indicated by solid heavy line.
- (2) Location, width and names of all existing or prior platted streets or other public ways, railroad and utility right-of-way, parks and other public open spaces, permanent buildings or structures, and section and municipal corporation lines, within or adjacent to the tract.
- (3) In case of a replat all descriptive lines of the original plat being vacated shall be shown by dotted lines in their proper position in relation to the new arrangement of the plat, the new plat being clearly shown in solid lines so as to avoid ambiguity or confusion.
- (4) Existing sewers, water mains, culverts or other underground facilities within the tract, indicating pipe sizes, grades and exact location, as obtained from public records.
- (5) Boundary lines of adjacent unsubdivided and subdivided land, showing owners names.
- (6) Existing zoning of proposed subdivision and adjacent tracts, in zoned areas.
- (7) Contours, based on the City datum, at not more than five (5) feet nor less than the (2) feet vertical intervals as required by the Commission.

(c) Proposed Conditions.

- (1) Layout of streets, their names and widths and also widths of alleys, crosswalks and easements. The names of the streets shall conform as far as practicable to the names of corresponding streets existing in the vicinity of the subdivision. The name of a new street, not an extension or a correspondent of an existing street, shall not duplicate that of an existing street in the City.
- (2) Layout, dimensions and numbers of lots.
- (3) Parcels of land to be dedicated or temporarily reserved for public use or set aside for use of property owners in the sub-division.
- (4) Building setback lines, showing dimensions.

Section 308. APPROVAL OF PRELIMINARY PLAT.

The Commission shall consider the application and preliminary plat not later than the second regular monthly meeting following its proper submittal. If the Commission is satisfied that all conditions have been satisfactorily met by the subdivider, it shall tentatively approve the application and set a date for a public hearing on the proposed plat, giving written notification to the subdivider and publish a notice of the hearing at least ten (10) days prior to the date set for the hearing. The cost of publishing the notice of the hearing shall be paid to the publisher by the subdivider at the time of inserting the notice. After the public hearing the Commission may give its approval of the preliminary plat which shall be governed by the following qualifications:

1. The approval of a preliminary plat by the Commission is strictly tentative, involving merely the general acceptability of the layout as submitted.
2. The Commission may introduce such changes or revisions as are deemed necessary to the interests and needs of the community.



3. Tentative approval shall be effective for a maximum period of six (6) months unless, upon application of the subdivider, the Commission grants an extension. If the final plat has not been recorded within this time limit, the preliminary plat must again be submitted to the Commission for approval.
4. Any person feeling himself aggrieved at any action of the Commission upon any proposed plat or replat, may apply in writing to the Commission, prior to its next regular monthly meeting, for modification of the action complained of, and such application shall be considered by the Commission, at such time and in such manner as it may determine.

#### Section 309. FINAL PLAT

After approval of the preliminary plat by the Commission, and the fulfillment of the requirements of these regulations one tracing of the final plat of the subdivision, drawn with India ink on the best grade of tracing cloth and one reproduction of the tracing on tracing cloth shall be submitted to the Commission; upon the final approval of the plat, the reproduction shall become the property of the Commission. The final plat shall be prepared at the same scale as the preliminary plat and shall show:

1. Name of Subdivision.
2. Location by section, township and range, or by other legal description.
3. The name and certification of the registered professional engineer or land surveyor.
4. Scale shown graphically, date and northpoint.
5. Boundary of plat, based on an accurate traverse with angular and lineal dimensions.
6. Exact location, width and name of all street within and adjoining the plat, and the exact location and widths of all alleys and crosswalks.
7. True courses and distances to the nearest established street lines or official monuments which shall accurately describe the location of the plat.
8. City, township, county or section line accurately tied to the lines of the subdivision by distances and courses.
9. Radii, internal angles, central angles, points of curvative and tangency, lengths of tangents and lengths of all arcs.
10. All easements for right-of-way provided for public services or utilities.
11. All lot and block numbers and lines, with accurate dimensions in feet and hundredths. Blocks in numbered additions to sub-divisions bearing the same name may be numbered consecutively through the several additions.
12. Line of all streets with accurate dimensions in feet and hundredths, showing angles to street, alley and lot lines.
13. Accurate location of all monuments, which shall be concrete 4" x 4" at top, 6" x 6" at bottom and 36" long, with metal marker cast in center.
14. Accurate outlines and legal description of any areas to be dedicated or reserved for public use, with the purposes indicated thereon and in the dedication; and of any area to be served by deed covenant for common uses of all property owners.
15. Building setback lines accurately shown with dimensions.
16. A description of the property platted which shall be the same as that recorded in preceding transfer of the property or that portion of said transfer covered by plat.
17. Restrictive covenants of all types which run with the land.
18. Certificates for approval by the Commission and the Board of Public Works.

#### Section 310. PLAT APPROVAL

In submitting the final plat to the Commission, it shall be accompanied by a notice from the Board of Public Works stating that there has been filed with and approved by that Board, one of the following:

1. A certificate that all improvements and installations to the sub-division required for its approval have been made or installed in accordance with specifications; or

2. A bond which shall:
  - (a) Run to the Common Council of the City.
  - (b) Be in an amount determined by the Board of Public Works and approved by the Commission to be sufficient in amount to complete the improvements and installations in compliance with this ordinance.
  - (c) Be with surety by a company entered and licensed to do business in the State of Indiana, and
  - (d) Specify the time for the completion of the improvements and installations.

After hearing and within a reasonable time after application for approval of the plat, the Commission shall approve or disapprove it. If the Commission approves, it shall affix the Commission's seal upon the plat together with the certifying signatures of its president and secretary. If it disapproves, it shall set forth its reasons in its own records and provide the applicant with a copy.

Section 311 PLAT CERTIFICATES

C E R T I F I C A T E S

1. Under the authority provided by Chapter 174 - Acts of 1947 enacted by the General Assembly of the State of Indiana and Ordinance adopted by the Common Council of the City of Bloomington, Indiana this plat was given approval by the City of Bloomington, as follows:

Approved by City Plan Commission at a meeting held \_\_\_\_\_.

\_\_\_\_\_  
 President  
 \_\_\_\_\_  
 Secretary

Approved by Board of Public Works at a meeting held \_\_\_\_\_.

\_\_\_\_\_  
 Chairman  
 \_\_\_\_\_  
 Member  
 \_\_\_\_\_  
 Member

2. Each final plat submitted to the Commission for approval shall carry a certificate signed by a Registered Professional Engineer or Land Surveyor in substantially the forms:

"I \_\_\_\_\_ hereby certify that I am professional Engineer (or a Land Surveyor) licensed in compliance with the laws of the State of Indiana; that this plat correctly represents a survey completed by me on \_\_\_\_\_ (date); that all the monuments shown thereon actually exist; and that their location, size, type and material are accurately shown.

SEAL \_\_\_\_\_  
 Signature

3. Each final plat submitted to the Commission for approval shall carry a deed of dedication in substantially the following forms.

"We the undersigned \_\_\_\_\_ (name), owners of the real estate shown and described herein, do hereby lay off, plat and subdivide, said real estate in accordance with the within plat.

This subdivision shall be known and designated as \_\_\_\_\_ (name) an addition to the City of Bloomington. All streets and alleys shown and not heretofore dedicated, are hereby dedicated to the public.

Front and side yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the streets, there shall be erected or maintained no building or structure.

There are strips of ground (number) \_\_\_\_\_ feet in width as shown on this plat and marked "Easement", reserved for the use of public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures now to be erected 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 to the rights of the owners of other lots in this subdivision.

(Additional dedications and protective covenants, or private restrictions, would be inserted here upon the subdivider's initiative or the recommendation of the Commission; important provisions are those specifying the use to be made of the property and, in the case of residential use, the minimum habitual floor area).

The foregoing covenants, (or restrictions), are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 19\_\_\_\_, (twenty-five year period is suggested), at which time said covenants, (or restrictions), shall be automatically extended for successive periods of ten (10) years unless by a vote of a majority of the then owners of the building sites covered by these covenants, or restrictions, it is agreed to change such covenants, or restrictions, in whole or in part.

Invalidation of any one of the foregoing covenants, or restrictions, by judgment or court order shall in no wise affect any of the other covenants or restrictions, which shall remain in full force and effect.

The right to enforce these provisions by injunttion, together with the right to cause the removal, by due process of law, of any structure or part thereof erected or maintained in violation hereof, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns".

WITNESS our Hands and Seals this \_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

State of Indiana  
ss:  
County of Monroe

Before me, the undersigned Notary Public, in and for the County and State, peraonally appeared \_\_\_\_\_ (name) \_\_\_\_\_, \_\_\_\_\_ (name) \_\_\_\_\_ acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purpose therein expressed.

Witness my Hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Section 312. ADOPTION

This ordinance shall be in force and effect from and after its passage and approval by the mayor.

Passed by the Common Council of the City of Bloomington, Indiana, on the 21st day of November, 1950.

/s/ Thos. L. Lemon Mayor  
Presiding Officer of the Common  
Council of the City of Bloomington,  
Indiana.

Attest:

Carl O. Stewart, Clerk-Treasurer  
Clerk of the Common Council of  
the City of Bloomington, Indiana.