

HOOSIER ACRES FIFTH ADDITION

This Sub-division is designated and known as HOOSIER ACRES FIFTH ADDITION. All streets shown on the recorded plat are hereby dedicated to the public. Said property, and all lots within said addition, and the use thereof by the present and future owners and occupants, shall be subject to the following restrictions which shall run with the land, to-wit:

1. FRONT YARD LINES: Shown on this plat are the building lines between which lines and the street lines no building, or parts thereof, shall be erected or maintained.
2. SIDE YARD LINES: No building shall be erected or maintained upon any lot in this sub-division, including porches, bay windows, eaves, or other projections, at a less distance than fifteen feet from the side and rear property lines of said lot. Where no more lots in this Addition have a common owner, this restriction shall be inoperative as regards to the placement of a residence in relationship to lot lines lying between and being common to the several lots contained in such ownership, provided that only one residence is built on such lots.
3. UTILITY EASEMENTS: There are shown on the annexed plat strips of ground that are hereby reserved for the use of public utilities, on or over which no permanent structure shall be erected or maintained.
4. BUILDINGS:
 - (a) Only one (1) single family dwelling, with a garage appurtenant thereto, may be erected or maintained on each lot as shown by the recorded plat, said family dwelling to be used for residence purposes only.
 - (b) Only those houses may be built upon said real estate which are not preout of site, and which do not contain panels for exterior wall construction produced off site.
 - (c) No dwelling house shall be constructed on any lot except where the structural walls are fabricated on said lot.
 - (d) The ground floor area of the main structure of any one story residence, exclusive of open porches, breezeways and garages, shall not be less than 1500 square feet. For dwellings of more than one (1) story in height the ground floor area shall not be less than 1000 square feet. "Floor Area" shall be measured from outside to outside of exterior wall finish.
5. USE:
 - (a) No building, or any part thereof, erected or maintained in this sub-division shall be used for business or commercial purposes of any kind. No lot shall be used except for residential purposes.
 - (b) No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other out-buildings shall be used on any lot at any time as a residence, either temporarily or permanently.
6. FENCES: No screen planting, hedge, or fence more than 36 inches high, shall be permitted on side lot lines between the front lot lines and the building set-back line.
7. DUMPING: No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste material, and such items shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.
8. SEWAGE: No individual sewage disposal system shall be permitted on any lot, or part thereof, unless such system is located, constructed and equipped in accordance with the standards and requirements of the Indiana State Board of Health. Approval of such system shall be obtained from the aforesaid authority.
9. ANIMALS: No animals, livestock or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose.
10. OTHER RESTRICTIONS: There shall be no subdivision of any lot or lots, nor any sale thereof in parcels, except a portion of a lot may be sold to an adjoining owner, if no new lot is to be created. No lot shall be divided to make two (2) or more lots. No manufacturing, noxious, illegal or offensive activity shall be carried on upon any lot, or part thereof, nor shall anything be done thereon which may be or may become an annoyance or a nuisance to the neighborhood or occupants thereof.
11. ENFORCEMENT OF RESTRICTIONS: Enforcement shall be by proceedings at law, or in equity, against any person or persons violating or attempting to violate any covenant, either to restrain violation or to recover damages, and the right herein shall inure to the owners of the several lots in this subdivision and to their grantees and assigns; and they shall be entitled to such relief without being required to show any damage of any kind to any such owner by or through any such violation or attempted violation.

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.

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of thirty (30) years from the date these covenants are recorded.

I, the undersigned, the owner of the real estate hereinabove described, hereby acknowledge the execution of the above and foregoing plat, the same to be known as HOOSIER ACRES FIFTH ADDITION, the same being a sub-division of a part of the Northwest quarter of the Southeast quarter of Section 2, Township 8 North, Range 1 West, in Monroe County, Indiana, and I hereby dedicate the streets or roads shown on said plat for the use of the public.

WITNESS my hand and seal this 26th day of June, 1963.

Eva R. Brown
Eva R. Brown

George M. Torrey
George M. Torrey, Notary Public

STATE OF INDIANA, COUNTY OF MONROE, SS: Before me, a Notary Public, in and for said County and State, this 26th day of June, 1963, personally appeared Eva R. Brown, unmarried and of legal age, and acknowledged the execution of the above and foregoing plat of HOOSIER ACRES FIFTH ADDITION, to be her own voluntary act and deed, and for the uses and purposes therein stated. WITNESS my hand and Notarial Seal this 26th day of June, 1963.

My Commission Expires: September 17, 1965.
MONROE COUNTY PLAN COMMISSION
By James C. Stetson President
William J. Weaver Secretary

Duly entered for taxation this 24 day of July, 1963
Robert E. Gresham
AUDITOR MONROE COUNTY, INDIANA