

Covenants

For

Forest Glen Sub.

Plat CLR's only

4 pages

Hamilton County

No building shall be erected on any lot more than two stories above the ground level, which shall be partially beneath grade. No one story dwelling erected on any lot in this addition shall have less than twelve hundred (1200) square feet of ground floor area, exclusive of open porches and garages. No one and one-half or two story dwelling erected on any lot in this addition shall have less than eight hundred fifty (850) square feet of ground floor area, exclusive of open porches and garages.

A private water supply and/or sewage disposal system may be located, constructed and maintained, at each individual lot owners expense, provided said systems meet the approval of the Indiana State Board of Health. No septic tank or absorption field shall be located, constructed or maintained except as recommended by and approved by said health authority. No outside toilets shall be permitted on any lots in this addition.

Building lines are hereby established as shown on this plat in feet back from the street property line, between which lines and the street property lines there shall be erected or maintained no structure of any kind or part thereof except a one story open porch. No structure of any kind shall be erected or maintained nearer than ten (10) feet from any lot line hereby, and the total of the side yards as measured between the nearest structure and the side lot lines shall be at least thirty (30) feet for any lot in this addition.

There are strips of ground seven and one-half (7-1/2) feet in width off the rear of adjoining lots including a fifteen foot extension of said strips into Lot 3, and fifteen feet in width off the rear of the lots on the east side of this plat, as shown on the plat, which are hereby reserved for use of public utilities for installation and maintenance of poles, mains, lines, wires, ducts, drains and sewers, subject at all times to the authority of the proper civil officers and to the easement herein reserved. No permanent or other structure shall be maintained on said strips, and such lot owners shall take their titles subject to the rights of such public utilities and to the rights of the owners of the other lots in this addition for ingress and egress in, along, across and through the several strips so reserved.

There are also hereby reserved two fifteen (15) foot drainage easements consisting of strips of ground seven and one-half (7-1/2) feet in width off of Lots 26 and 27 at their common lot line and off of Lots 29 and 30 at their common lot line as shown on the plat hereof.

No trailer, tent, shack, basement without completed dwelling thereon, garage, barn or any other accessory building or temporary structure shall be erected for temporary or permanent residential purposes of any lot in this addition.

No noxious or offensive practice, trade or activity shall be carried on on any lot in this addition, nor shall anything be done thereon which shall be or may become a nuisance to the neighborhood.

No building or other structure shall be erected, placed or altered on any lot in this addition until the building plan, specifications and plot plan showing the location of all such contemplated or altered structures shall have been approved in writing by a majority of a committee composed of the President, Vice President and Secretary of Forest Glen Realty Corporation, an Indiana Corporation, whose officers at the time of filing this certificate and plat are Kenneth P. McConkey, President, Victor R. Kingdon, Vice President, and John J. Weldon, Secretary. If the aforesaid committee fails to approve or disapprove such design or location within thirty days after plans have been submitted to it, or if it fails to exercise its authority of such building or other structure or the making of such authorization has been commenced prior to the completion thereof, such committee approval will not be required. Said committee shall act and serve without pay and shall serve until January 1, 1941, at which time the then record owners of a majority of the lots in the addition may designate in writing their authorized representatives who shall have the same powers subject to the same limitations as are herein in the aforesaid committee.

The right to enforce the foregoing provisions, restrictions and covenants by injunction, together with the right to cause removal by due process of law any structure or sanitary or water device erected or maintained in violation hereof, is hereby reserved, preserved and dedicated to the several owners of the lots in this addition, and their heirs and assigns, who shall be entitled to such relief, with attorney's fees, without being required to show any damage of any kind to any such owner or owners by or through any such violation or attempted violation.

Invalidation of any of the foregoing covenants by judgment or court order shall in no wise invalidate any other such covenants, which shall remain in full force and effect all of the above restrictions, provisions and covenants shall be considered real covenants and shall run with each lot in whosoever hands it may come and shall run with the land.

Witness our signatures this _____ day of _____ 1956.

STATE OF)
COUNTY OF) SS

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared James A. Bays and Hannah Bays, husband and wife, and each separately and severally acknowledged the execution of the foregoing plat and certificate as his and her voluntary act and deed for the use and purposes therein expressed and affixed their signatures thereto.

Witness my signature and Notarial Seal this _____ day of _____, 1956

Notary Public

My Commission Expires: _____

Approved by me this _____ day of _____, 1956

Approved this 5 day of May, 1956
By Hamilton County Plan Commission

Hamilton County Surveyor

Ray A. McHenry
President
W. J. [unclear]
Secretary

attest E. Frank Bunn Approved this 5 day of May, 1956
Auditor of Hamilton Co.
By Board of County Commissioners for
Hamilton County.

RECEIVED FOR RECORD
MAY 7 1956
day of May
11 D. Bell, at 11:30 AM, check H. X. case
registered in receipt 2, page 12-26
E. J. [unclear]
Recorder Hamilton County

Robert Gilkey
Perry H. McKeen
Wesley M. Williams