

IRVINGTON TERRACE - RESTRICTIONS

Keep in file

1133

Deed Record
732 page 140

It is expressly agreed by and between the said grantor and the said grantees, their successors and assigns or any person claiming or holding under them shall not manufacture or sell or permit or authorize any other person to manufacture or sell, upon said premises above described, or any part thereof, any intoxicating or salt liquors for any purpose whatsoever other than medicinal or mechanical purposes and it is also expressly agreed by and between said grantor and said grantees that said grantees their successors and assigns shall not at any time, carry on or suffer permit or authorize any person or persons to carry on upon the premises or any part thereof, any slaughter house, tannery, fertilizer or bone factory, soap factory, livery stable, brickyard or brick kiln, nor shall at any time permit the soil of said premises to be used for any manufacturing, mining or trading purposes whatsoever nor use said property or any part thereof, for any purpose which shall be or become obnoxious or detrimental to the remainder of said addition as a good residence neighborhood nor shall the said grantees, their successors or assigns or any person claiming through or under them, build or permit authorize or suffer to be built on the said premises, any building or buildings of any kind whatsoever, excepting a dwelling house, with the necessary out buildings thereof, the said house to cost not less than \$2,500.00 if a single house or \$5,000.00 if a double house, and to have its front wall not less than 30 feet from the front line of said lot; and it is also expressly agreed by and between said grantor and said grantees their successors and assigns that a violation of any one or more of said conditions may be prevented through injunction or any other appropriate legal proceedings and any such proceedings may be instituted and maintained not only by said grantor, his heirs and assigns,, but also by anyone or more lot owners of said addition and the aforesaid conditions are construed by and between the parties to these presents, and shall always be held and considered as running with said real estate hereby conveyed, for a period of 25 years and shall be a part of and attach to all deeds and conveyances, instruments, leases, transfers, assignments of agreements made by said grantees, their successors, or assigns, or either of them of said premises, or any of said instruments executed and delivered by said grantees their successors or assigns.

(28)

Plat Book 16 page 178.

Irvington Terrace.

An Addition to the City of Indianapolis, being a Subdivision of the north part of the East Half of S. W. 1/4 of Sec. 2 T. 15 N. R. 4 E. in Marion County Indiana, lying north of the National Road, described as follows:

Beginning at the northeast corner of the East Half of S. W. 1/4 of Sec. 2 T. 15 N. R. 4 East and running thence west with the north line of said half 1/4 Sec, 1328 feet to a point which is the northwest corner of said half 1/4 Sec., thence south with the west line of said half 1/4 Sec. 1590.2 feet to the center of the National Road, thence northeasterly with the center of the National Road 1329.7 feet to the east line of the above mentioned half 1/4 Section thence north with said east line 1555 feet to the place of beginning.

This Addition consists of 216 lots numbered from 1 to 216 inclusive, and one block lettered A. Size of lots and width of streets and alleys shown in feet and decimals. The streets and alleys are hereby dedicated to the public.

This Addition shall be known and designated as Irvington Terrace. In Witness Whereof, we have hereunto set our hands and seals this -- day of July 1913.

Buckeye Realty Company. by John A. Chilcote, Pres.

Attest: Edward Hibbert, Secy. (Corp Seal attached)

Acknowledged July 21, 1913. Approved Aug. 1, 1913 by Board of Park Commissioners and on Aug. 6, 1913 by Board of Public Works of City of Indianapolis.

Recorded Aug. 7, 1913.

(29)

Miscel. Record 77 page 609.

Certificates of Noble C. Butler, Clerk of District Court of United States for the District of Indiana, that no judgments remain unsatisfied upon the records of said Court, nor upon the records of the Circuit Court of said District at Indianapolis, within the last ten years against John S. McConnell or Buckeye Realty Company. Dated August 22, 1913.

Recorded Aug. 22, 1913.

(30)

Miscel. Record 95 page 498.

H. E. Chilcote. Affidavit.

State of Indiana.

Marion County, SS:

H. E. Chilcote of the City of Indianapolis, being first duly sworn upon his oath says that he is assistant Secretary and Treasurer of the Buckeye Realty Company, a corporation of Marion County, State of Indiana and is empowered as one of its officers to execute deeds, mortgages and other legal papers for said corporation.

That said corporation has no outstanding preferred stock.

This affidavit is made for the sole purpose of correcting any technicality which might arise in selling any of its real estate.

H. E. Chilcote.

Subscribed and sworn to this 30th day of December 1916,

Witness my hand and notarial seal.

Russ H. Hartman, N. P.

My commission expires April 30, 1917.

Recorded Dec. 30, 1916.

(31)

Miscel. Record 107 page 383.

Nancy J. Roll Affidavit.

State of Indiana.

Marion County, SS:

Nancy J. Roll, being duly sworn according to law, on her oath says: That she is the wife of Jonathan B. Roll, who is a son of Solomon Roll, who formerly owned the east half of S. W. 1/4 of Sec 2 T. 15 N. R. 4 E., situate in Marion County, State of Indiana: