

ROCKWOOD PARK - FIRST SECTION
INSTRUMENT #65-67748
RECORDED DECEMBER 21, 1965
RESTRICTIONS

Marion

1. The streets shown herein and not heretofore dedicated are hereby dedicated to the public as a right of way for public streets. All lots in this subdivision shall be known and designated as residential lots.
2. The strips of ground marked "Utility and/or Drainage Easements", shown herein are hereby reserved for the installation and maintenance of public utility poles, wires, conduits for gas, water, electric and telephone utilities and sanitary and storm sewers, subject at all times to the proper civil authority and to the specific easements reserved. No permanent or other structure shall be erected or maintained upon said easements and all lot owners shall take their titles subject to the rights of the utilities and to the rights of the other owners of lots in this subdivision.
3. No residential structure shall be erected or placed upon any building plot which has an area of less than 11,250 square feet.
4. Front and side building lines are hereby established as shown herein. No fence or structure of any kind shall be erected or placed between the street property line and the building setback lines. No outside incinerators shall be installed in Lots 1 to 10, both inclusive. A privot hedge or similar shrub plantings shall be placed or maintained for a period of three years within the 20 foot planter easement on Lots 1 to 10, both inclusive.
5. No trailer, tent, shack, garage, barn or other temporary structure erected or placed in this subdivision shall be at any time used as a residence, temporarily or permanently, nor shall any other structure of a temporary nature be used as a residence.
6. No noxious or offensive trade or activity shall be carried on upon any lot in this subdivision, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. No alcoholic beverage or malt or vinous liquor shall be made or sold upon any lot in this subdivision.
7. No fence, wall, hedge or shrub planting which may obstruct sight lines at elevations between 2 and 6 feet above the street, shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property line and a line connecting points 25 feet from the intersection of said street lines, or in the case of a rounded property corner, from the intersection of the street lines extended. The same sightline limitations shall apply to any lot within 10 feet from the intersection of a street line with the edge of a driveway pavement or alley line. No trees shall be permitted to remain within such distance of such intersection unless the foliage is maintained at sufficient height to prevent obstruction of such sight line.
8. No farm animals or domestic fowls shall be permitted to remain on any lot or lots in this subdivision and no pets or domestic animals shall be kept thereon for commercial purposes.
9. If the parties hereto, or any of them, or their heirs or assignees, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property in this subdivision, to prosecute any proceedings at law or in equity against those violating or attempting to violate any such covenant and either to prevent him or them from so doing or recover damages or other dues for such violation.
10. Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other covenants, which shall remain in full force and effect.
11. These covenants are to run with the land and shall be binding on all parties claiming under them until January 1, 1986, at which time said covenants shall be automatically extended for successive periods of ten years unless by a majority vote of the then owners of the real property in this subdivision, it is agreed to change such covenants in whole or in part.
12. The right of enforcement of these covenants is hereby granted to the Metropolitan Plan Commission, its successors or assigns.

