COUNTRYSIDE

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DECLARATION OF RESTRICTIONS

WHEREAS, Frederick R. Southard and Eleanor P. Southard, husband and wife, of Toledo, Ohio, hereinafter called Southards, are the owners in fee simple of the following described parcel of land, to-wit:

The north 21 acres of the west 27 acres of the northeast 1/4 of Section 36, Town 9 south, Range 6 east in Adams Township, Lucas County, Ohio, excepting therefrom the north 435 feet thereof. Subject to legal highways.

and

WHEREAS, said Southards, as such owners of the said parcel of land, have prepared and submitted a plat of part of said parcel of land to the proper authorities of Lucas County, Ohio, for their approval and allowance as a plat in said County and State; and

WHEREAS, said allotment or addition as shown by said submitted plans, will, upon acceptance by proper authorities of Lucas County, Ohio, be known as Lots numbers 1 to 28, inclusive, in COUNTRYSIDE, a Subdivision in Adams Township, Lucas County, Ohio:

NOW, THEREFORE, Southards, the owners of the land described and covered by the unrecorded plat of COUNTRYSIDE, a Subdivision in Adams Township, Lucas County, Ohio, in order to establish a general plan for the development of said subdivision designed to make the said lots in said contemplated addition more attractive for residential purposes and to protect the
owners of said lots in the enjoyment of their use for residential purposes, and in consideration of the enhancement in value thereof, for themselves, their heirs and assigns, hereby declare and stipulate that that part of the above real property which will be known as Lots 1 to 28, inclusive, as shown by the unrecorded plat of Countryside, a Subdivision in Adams Township, Lucas County, Ohio, now owned by them, shall hereafter be conveyed by them, their heirs and assigns, subject to the restrictions hereinafter set forth:

1. These covenants and restrictions are to run with the land and shall be binding upon said Southards and all persons claiming under or through them until the 1st day of July, 1975, at which time said covenants and restrictions shall be automatically extended for successive periods of 10 years unless by the then owners of a majority of said lots 1 to 28, inclusive, in Countryside, it is agreed to change said restrictions and covenants in whole or in part, provided such changes shall be by written instrument which shall be filed for record with the Recorder of Lucas County, Ohio, previous to the termination of the successive period mentioned herein, and shall be effective and operative to effect such change from and after the termination of such successive period as follows the date of the filing thereof for record with the Lucas County Recorder.

2. Invalidation of any of the restrictions and covenants herein by judgment, court order, or by act of the owners as provided in Section 1 above, shall in no wise affect any of the other provisions contained in this declaration of restrictions, which shall remain in full force and effect.
3. No liquor, whether spirituous, vinous or fermented, shall be sold or be allowed to be sold on said premises.

4. Said premises shall not be used or be permitted to be used for any business purposes, and no noxious or offensive activity shall be carried on upon any part of said premises, nor shall anything be done thereon which may be or become an annoyance or nuisance to the owners of adjacent property.

5. All lots and portions of Countryside shall be described and known as residential lots. No structure shall be erected on any one residential lot other than one detached single family dwelling and/or a private garage building of not more than three car capacity. This restriction shall be construed to prohibit the erection of a duplex, income bungalow, tenement, flat or other building designed or altered to be occupied by more than one family and/or the maintenance or use of an outdoor privy or any other buildings other than a single family residence and a private garage of not more than three car capacity.

6. No building, structure or basement shall be erected, placed or altered on any building residential lot in said Countryside until the building plans, specifications and plot plan showing the location of such building, have been approved in writing by the Building Committee, designated herein, as to the location of the building with respect to topography and finished ground elevation and the cost thereof. Such committee shall be composed of Frederick R. Southard, Raynor B. Pyle and John E. Pyle until such time as the lot owners in such subdivision
shall elect a committee. Such new committee shall act only after filing with the Recorder of Lucas County, Ohio, of an instrument proving their election by the then owners of a majority of said lots. None of the members of said committee, or its duly designated representative, shall be entitled to compensation. In the event any such committee fails to approve or disapprove such design, cost and location within 30 days after such plans and estimates have been submitted to it, then such approval will not be required, provided the design and location on the plat conform to and are in harmony with existing structures in this subdivision and the restrictions imposed by this declaration of restrictions. In requiring the submission of plans and specifications as herein set forth, we, the undersigned, have in mind the development of said subdivision as an architecturally harmonious, artistic, and desirable residential subdivision, in accordance with the general plan as hereinbefore mentioned, and, in approving or withholding its approval of any plans or specifications so submitted, such Committee may consider the appropriateness of the improvements contemplated with relation to improvements on contiguous or adjacent lots, its artistic and architectural merits, its adaptability to the lot upon which it is proposed to be erected or made, and such other matters and considerations as such Committee may deem to be to the interest and benefit of the owners of lots in said subdivision as a whole with reference to such development; and any determination made by such committee in good faith shall be binding upon all parties in interest.

7. No part of said property shall be used or occupied
for a dog, cat or animal hospital, kennel, stable or cattle yard, hog pen, fowl yard or house for keeping of any animal, fowl or bird or any noxious, dangerous or offensive thing, whether of the character of those hereinabove enumerated or not, nor shall said premises be used for any mercantile and manufacturing establishment, storage, boarding house, rooming house, hotel, inn, restaurant, tavern, public or private hospital or infirmary. The failure to designate additional restrictions on the use of the property shall not permit any other use except the intended purposes of the premises for single residential purposes.

8. No trailer, basement, tent, shack, garage, barn, housecar or other temporary shelter shall be erected, maintained or used as a residence temporarily or permanently on said tract. No building erected on said tract shall be used as a residence until the exterior has been completed as specified and called for in the plans and specifications thereof.

9. The kind of residential structure that shall be permitted is the type of residence known as a ranch house or rambling bungalow, with a maximum height of 19 feet to the peak of the house from the finished floor line. The roof must be gabled or hipped. The floor area of the structure shall contain a minimum of 1100 square feet for the foundation not including breezeway area or garage, and the exterior construction shall be limited to brick, brick veneer, stone, stone veneer, frame, shingle, or asbestos.

10. No residence shall be erected on any of said lots which shall be located nearer than 50 feet from the street, road or avenue upon which it fronts for lots 1 to 14 inclusive,
and lots 19 and 20; or nearer than 35 feet from the street, road or avenue upon which it fronts for lots 15 to 27, inclusive, nor nearer than 25 feet from the street, road or avenue upon which it fronts for lot 28, which building lines shall coincide with the building lines shown by said unrecorded plat of Countryside. No foundation of a residence or a residence with a garage attached thereto shall be nearer than 10 feet to the side line of the lot. No fence shall be higher than 3 feet 6 inches and shall not be placed closer to the street than the front building line set forth above and on said plat.

11. The grantors reserve to themselves, their heirs and assigns, the perpetual easement over the rear 5 feet of each lot as shown by said unrecorded plat of said subdivision for a right-of-way for telephone lines, service lines, electric lines and other public utility facilities, both below and above the ground, for the use and benefit of adjacent and neighboring premises together with the right to enter upon said premises for the purpose of laying, installing, repairing, relaying and maintaining the same.

12. All transfers and conveyances of the lots herein mentioned shall be made subject to these covenants and restrictions.

13. These restrictions and covenants shall be operative upon said premises the same as if the said unrecorded plat had been placed of record previous to the time of the recording of this declaration of restrictions.

IN WITNESS WHEREOF, the said Frederick R. Southard and Eleanor P. Southard set their hands this 4th day of June, 1953.
(Signed) Frederick R. Southard
Eleanor P. Southard

Two witnesses.

Acknowledged June 4, 1953 before a Notary Public,
Lucas County, Ohio (seal).

Received for record June 5, 1953 and recorded in
Volume 1623 of Mortgages, page 102.