COWAN PLACE

This information is taken from public records filed with the Lucas County Recorder’s Office. Port Lawrence Title and Trust Company assumes no liability for the accuracy or completeness of the information contained herein.
DECLARATION OF RESTRICTIONS

WHEREAS, Irem C. Schroeder, hereinafter referred to as the owner, holds title in fee simple to the following described parcels of land, situated in Washington Township, Lucas County, Ohio:

Lots numbers one hundred sixty-one (161) to one hundred seventy (170), both inclusive, and Lots numbers one hundred seventy-five (175) to one hundred eighty-four (184), both inclusive, in Cowan Place, a Subdivision in Washington Township, Lucas County, Ohio.

AND WHEREAS, Irem C. Schroeder, the owner, desires to establish restrictions upon the manner of use, improvements, and enjoyment of the above described lots in Cowan Place and to hereby impose on said lots in said Cowan Place certain restrictions.

NOW, THEREFORE, in consideration of the premises, and in consideration of the enhancement in value thereof, and to afford purchasers due and ample protection in the use and occupancy thereof for the purposes of which the same are designated, and to provide a general plan for the development of said addition designed to make same more attractive for residential purposes, Irem C. Schroeder, the owner, for herself, her heirs and assigns, hereby declares and stipulates that each lot in said Cowan Place shall hereafter be conveyed by her, her heirs, and assigns, subject to the restrictions hereinafter set forth:

1. These covenants are to run with the land and shall be binding on said Irem C. Schroeder, and all persons claiming under or through her, until January 1, 1970, at which time said covenants shall be automatically extended for successive periods of ten years each, unless and except the then owners of the majority of said lots shall agree in writing to change these covenants in whole or in part.

2. If the owners, their heirs or assigns, shall violate any of these covenants it shall be lawful for any person, persons, firm, or corporation owning or having any interest in any part of said tract or any association not for profit composed of owners of parcels, lots or portions of said Cowan Place to prosecute
proceedings at law or in equity against the person, persons, firm or corporation violating or attempting to violate these covenants and either to prevent him or them from so doing or to recover damages for such violations.

3. The invalidation of any one or more of these covenants by judgment or other court order shall in no way affect any of the other provisions which shall remain in full force and effect.

4. All said lots shall be known and described as residential lots for either one or two family occupancy. No structure shall be erected, altered, placed or permitted to remain on any residential lot other than herein described and shall be ranch type in style with a private attached garage.

5. No building shall be erected on any residential lot nearer than thirty-five (35) feet to the front lot line nor nearer than five (5) feet to any side lot line. No structure shall be permitted nearer than fifteen (15) feet to the side street line.

6. No noxious or offensive trade shall be upon any lot in said Cowan Place, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

7. No basement, garage nor any other structure other than as permitted hereinabove, shall at any time be used as a residence temporarily or permanently, nor shall any residence of a temporary character be permitted on any lot. No trailer or tent shall be permitted on any lot for any purpose whatsoever.

8. There shall not be erected, permitted or maintained on said lots any stable, cattle yard, hog pen, fowl house, or yard, cesspool, privy vault, or any form of privy; nor shall any live poultry, hogs, cattle or other live stock or noxious, dangerous or offensive thing, whether of the character of those hereinbefore enumerated or not, be permitted or maintained thereon. No owner or tenant shall be permitted to have more than one dog or more than one cat.

9. A perpetual easement is reserved over the rear five (5) feet of each lot for utility installation and maintenance.

10. No residential unit shall be erected on any of said lots other than ranch type in style with a private attached garage, and each residential unit
shall have at least eleven hundred (1,100) square feet of livable floor space.

11. No wines, liquors, beer or other intoxicants shall be manufactured or sold on any lot therein known and described as a residential lot.

12. No building or other structures shall be erected, moved or maintained on any lot unless erected, moved or maintained in accordance with plans and specifications showing the nature, kind, shape, type, material, color scheme, and location of such structure which shall be submitted in duplicate to Irma C. Schroeder, Toledo, Ohio, or a committee to be selected as herein provided and such approval thereof shall be endorsed upon said plans and specifications in writing before construction is started.

The committee referred to in the preceding paragraph shall consist of three members who shall each be the owner, in fee simple, of property in said subdivision, shall serve without compensation and the term of the members of such committee shall be at the sufferance of the authority by which they are selected. The members of such committee shall be selected by owners of a majority of the lots in said subdivision and vacancies occurring in the personnel of said committee shall be filled by the selection of new members to serve on said committee by a majority of the owners of lots in said subdivision.


Received for record May 25, 1955 and recorded in Vol. 1731 of Mortgages, page 114.
AMENDMENT TO DECLARATION OF RESTRICTIONS

WHEREAS, a Declaration of Restrictions received and recorded on May 25, 1955 in Volume 1731 of Lucas County Mortgages, Page 114, imposed certain covenants running with the land on the following described parcels of land:

Lots numbers one hundred sixty-one (161) to one hundred seventy (170), both inclusive and Lots numbers one hundred seventy-five (175) to one hundred eighty-four (184), both inclusive, in Cowan Place, a Subdivision in Washington Township, now in the City of Toledo, Lucas County, Ohio.

WHEREAS, the present lot owners of the above-described lots are as follows: Clyde G. Cooper; Robert B. Daney, Jr.; Maurice and Cynthia Rotondo; Virginia H. Drude, John T. Hayes and Marie A. Hayes; Thomas L. Cousins; James and Eileen Babcock; Robert and Juanita Harder; Eugene and Lamore Finn; Ronald D. and Susan McGill; Janet and Homer Schroeder; Gerald D. and Melody Miller; Kenneth and Vera Tussing; Alan W. Newell; and Terry and Sue Kuhl; and

WHEREAS, Richard and Anne Sturdevant; Loretta McClish; and Ronald E. Tindall own portions of lots included in the above set forth legal description; and

WHEREAS, Irma C. Schroeder is deceased and the undersigned owners represent that there is no committee presently in existence for the submission and approval of plans and specifications for the erection and maintenance of buildings and other structures as provided in item number twelve of said Declaration of Restrictions; and

WHEREAS, the majority of the present lot owners are desirous of amending these covenants in part.

NOW THEREFORE, in consideration of the premises and in accordance with item number one of said Declaration of Restrictions the undersigned lot owners hereby agree as follows:

1. These covenants and specifically items four and ten of said Declaration of Restrictions are hereby amended to remove the restriction that only ranch type structures and buildings be permitted to remain on the aforesaid lots.
2. The owners of said lots, their heirs and assigns shall be permitted to add, erect, alter, place or permit to remain any structures, building or additions that add a second story, level or addition and including attics.

IN WITNESS WHEREOF, the parties have affixed their signatures hereto on the dates indicated.

Witnesses

[Signature]

[Date]

[Signature]

[Date]

Witnesses

[Signature]

[Date]

[Signature]

[Date]

STATE OF OHIO
COUNTY OF LUCAS

Before me, a Notary Public in and for said County, personally appeared the above-named NAME[S], known to me to be the PARTY/PARTIES described in and who executed the foregoing instrument and acknowledged that HE/SHE/THEY executed the same of his/her/their own free act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Toledo, Ohio, this 28th day of February, 1986.

[Signature]

NOTARY PUBLIC

[Seal]

This Instrument prepared by:
Maria Quinto Buchanan, Esq.
UAW Legal Services Plan
1160 W. Sycamore Rd.
Toledo, OH 43623

RECEIVED & RECORDED
MAR 13 1986
BILL COpELAND
RECORDEr, LUCAS COUNTY, OHIO
86 0295812
AMENDMENT TO DEED AND RESTRICTIONS

WHEREAS, a Declaration of Restrictions received and recorded on May 25, 1955 in Volume 1731 of Lucas County Mortgages, Page 114, imposed certain covenants running with the land on the following described parcel of land:

Lots numbers one hundred sixty-one (161) to one hundred seventy (170), both inclusive and Lots numbers one hundred seventy-five (175) to one hundred eighty-four (184), both inclusive, in Coven Plac. Subdivision in Washington Township, now in the City of Toledo, Lucas County, Ohio.

WHEREAS, the present lot owners of the above-described lots are as follows: Clyde G. Cooper; Robert B. Daney, Jr.; Maurice and Cynthia Rotondo; Virginia B. Drude; John T. Hayes and Marie A. Hayes; Thomas L. Cousino; James and Eileen Babcock; Thomas and Kimberly Whelan; Eugene and Lorraine Finn; Ronald D. and Susan McGill; Janet and Homer Schroeder; Gerald D. and Melody Miller; Kenneth and Vera Tussing; Alan W. Newell; and Terry and Sue Kuhl; and

WHEREAS, Richard and Anne Burdett; Loretta McCloud, and Ronald E. Tindall own portions of lots included in the above legal description; and

WHEREAS, Irma C. Schroeder is deceased and the undersigned owners represent that there is no committee presently in existence for the submission and approval of plans and specifications for the erection and maintenance of buildings and other structures as provided in item number twelve of said Declaration of Restrictions; and

WHEREAS, the majority of the present lot owners are desirous of amending these covenants in part.

NOW THEREFORE, in consideration of the premises and in accordance with item number one of said Declaration of Restrictions the undersigned lot owners hereby agree as follows:

1. These covenants and specifically items four and ten of said Declaration of Restrictions are hereby amended to remove the restriction that only ranch type structures and buildings be permitted to remain on the aforesaid lots.

86 0285001
3. The owners and said debtors have assigned shall be permitted to add, erect, alter, place or permit to remain any structures, buildings or additions that add a second story, level or addition and including decks.

IN WITNESS WHEREOF, the parties have affixed their signatures hereto on the dates indicated.

Witnesses

Gerald Daniel Miller

February 27, 1986

Date

STATE OF OHIO

COUNTY OF LUCAS

notarized me, a Notary Public in and for said County, personally appeared the above-named Gerald D. Miller and Melody Miller, known to me to be the parties described and who executed the foregoing instrument and acknowledged that they executed the same of their own free act and deed, for the uses and purposes herein mentioned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Toledo, Ohio this 27th day of February, 1986.

Alan W. Neff

Date

Witnesses

Note: Entry ofexecution date

STATE OF OHIO

COUNTY OF LUCAS

Before me, a Notary Public in and for said County, personally appeared the above-named Alan W. Neff, known to me to be the party described in and who executed the foregoing instrument and acknowledged that he executed the same of his own free act and deed, for the uses and purposes therein mentioned.
IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Toledo, Ohio, this 27th day of February, 1986.

Witnesses

Linda Kuhl

Sue Kuhl

2-27-86

Date

STATES OF OHIO

COUNTY OF LUCAS

Before me, a Notary Public in and for said County, personally appeared the above-named Terry Kuhl and Sue Kuhl, known to me to be the parties described in and who executed the foregoing instrument and acknowledged that they executed the same of their own free act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Toledo, Ohio, this 27th day of February, 1986.

Witnesses

Maria Quarter Buchanan

Kenneth Tussing

2-27-86

Date

STATES OF OHIO

COUNTY OF LUCAS

Before me, a Notary Public in and for said County, personally appeared the above-named Kenneth Tussing and Vera Tussing, known to me to be the parties described in and who executed the foregoing instrument and acknowledged that they executed the same of their own free act and deed, for the uses and purposes therein mentioned.
IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Toledo, Ohio, this 22nd day of
February, 1986.

Witnesses

Maria Ann Locurto

Ronald D. McGill

2-27-86

Date

Witnesses

Maria Ann Locurto

Susan McGill

2-22-86

Date

STATE OF OHIO

COUNTY OF LUCAS

Before me, a Notary Public in and for said County,
personally appeared the above-named Ronald D. McGill and Susan
McGill, known to me to be the parties described in and who
executed the foregoing instrument and acknowledged that they
executed the same of their own free act and deed, for the uses
and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and
affixed my official seal at Toledo, Ohio, this 22nd day of
February, 1986.

Witnesses

Maria Ann Locurto

Eugene F. Finn

28 Feb, 1986

Date

Witnesses

Maria Ann Locurto

Lanore F. Finn

2-22-86

Date

STATE OF OHIO

COUNTY OF LUCAS

Before me, a Notary Public in and for said County,
personally appeared the above-named Eugene Finn and Lanore Finn,
known to me to be the parties described in and who executed the
foregoing instrument and acknowledged that they executed the same
of their own free act and deed, for the uses and purposes therein
mentioned.
IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Toledo, Ohio, this 22nd day of February 1986.

Maria Quinn Buchanan
NOTARY PUBLIC

STATE OF OHIO ) ss:
COUNTY OF LUCAS )

Before me, a Notary Public in and for said County, personally appeared the above-named James Babcock and Eileen Babcock, known to me to be the parties described in and who executed the foregoing instrument and acknowledged that they executed the same of their own free act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Toledo, Ohio, this 27th day of March 1986.

James Babcock

STATE OF OHIO ) ss:
COUNTY OF LUCAS )

Before me, a Notary Public in and for said County, personally appeared the above-named Loratta McClish, known to me to be the party described in and who executed the foregoing instrument and acknowledged that she executed the same of her own free act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Toledo, Ohio, this ______ day of ______, 1986.

Loretta McClish

STATE OF OHIO ) ss:
COUNTY OF LUCAS )

This instrument prepared by:

Maria Quinn Buchanan, Esq.
UAV Legal Services Plan
3360 W. Laskey Road
Toledo, OH 43623

86 023505