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DECLARATION OF RESTRICTIONS FOR PLAT V
IN CROSSGATES, A SUBDIVISION IN
THE CITY OF TOLEDO, LUCAS
COUNTY, OHIO

WHEREAS, the undersigned, DUNBAR INDUSTRIES, INC., RAYMOND J. TAYLOR and JUNE M.
TAYLOR, husband and wife, are the owners of all of the lots in CROSSGATES PLAT V, a
Subdivision in the City of Toledo, Lucas County, Ohio, and being Lots 203 through 226
inclusive; and

WHEREAS, it is necessary and desirable and will be beneficial to the future owners
of all of the lots in said Plat V in CROSSGATES to impose reasonable restrictions upon the
use, occupancy, improvement and enjoyment of all of said properties which shall affect all
of the properties and shall become binding upon all present and future owners of said
properties and shall run with the land, all as more fully hereinafter stated.

NOW, THEREFORE, in order to provide a uniform general plan for the improvement,
development, use, occupancy and enjoyment of said Crossgates Plat V as an architecturally
harmonious and desirable residential district and to continue, maintain and perpetuate said
Crossgates Subdivision in its entirety as originally planned for the maintenance of
property values of residences to be hereafter constructed therein, in consideration of the
premises the undersigned as owners of all of the lots in said Crossgates Plat V, a Sub-
division in the City of Toledo, Lucas County, Ohio, as now or hereafter constituted for
themselves, their successors, heirs and assigns for the regulation and protection of
every person, his heirs, executors, administrators, legal representatives and/or assigns,
who now is or shall in the future be, the owner, occupant or tenant of any interest in
and to any lot, lots or part thereof in the improvement, development, use, occupancy and
enjoyment of said property in Crossgates Plat V and being Lots 203 through 226 inclusive,
by the execution and recording of this indenture of restrictions, do hereby restrict the
improvement, development, use, occupancy and enjoyment of all property in said Plat V to
the extent and in the manner following, to-wit:

(a) These restrictions shall become effective upon the recording of this indenture
with the Recorder of Lucas County, Ohio.

(b) The restrictions hereinafter set forth shall run with the land and shall be
binding upon each and every person who now is or shall hereafter become the owner of any
interest in and to the within described property or any part thereof until January 1, 1989,
at which time said restrictions herein contained or any portion thereof may be extended and/or amended for a further ten (10) year period and for successive ten-year periods thereafter upon the written approval or written agreement of two-thirds (2/3) of the lot owners in Crossgates Plat V.

(c) No structure shall be erected, altered, placed or permitted to remain on any residential lot other than a structure designed for a one-family dwelling. Each lot may also contain an attached private garage or car port.

(d) No building (including porch thereto attached) shall be erected or maintained on any part of the lot nearer to the front lot lines than the set back line as shown on the recorded plat wherein such plot is situated, nor nearer than five (5) feet to any side of every plot built upon except for a garage or other permitted accessory building, which shall be located on or behind the minimum building set back line, subject to the provisions of paragraph (i) hereof. For the purposes of this Declaration of Restrictions, a plot is defined as that parcel of land on which a dwelling is constructed and/or maintained, together with the land adjacent thereto and used in conjunction therewith, and may therefore include parts of or all of two or more of the lots delineated on the recorded plat.

(e) Except as hereinafter provided, no dwelling shall be permitted on any lot unless the ground floor area of said dwelling, exclusive of one-story open porches and garages and car ports, shall be not less than 1000 square feet for a one-story dwelling, nor less than 525 square feet for a dwelling of more than one story.

(f) Except a dwelling erected upon lot as delineated by the recorded plat, the ownership of which lot is in one owner at the time of the erection of said dwelling, no dwelling shall be erected or placed on any lot having an area of less than 6000 square feet.

(g) No basement, garage, nor any other structure other than as above permitted, shall at any time be used or occupied 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 purposes whatsoever.

(h) There shall not be erected, permitted or maintained on any lot stable, shed, cattle yard, hogpen, fowl house, coop or yard, cesspool, privy vault or any form of privy; nor shall any live poultry, hogs, pigeons, sheep, goats, cattle or other livestock or noxious, dangerous or offensive thing, whether of the character of those hereinabove enumerated or otherwise, be permitted or maintained thereon.

(i) To assure a harmonious plan of development which will inure to the benefit of every property owner in said tract, nor building, dwelling or other structure shall be erected, moved or maintained upon any lot unless so erected, moved or maintained in accordance with plans and specifications showing the nature, kind, shape, type, material, color scheme and location of such building, dwelling or other structure, which shall be submitted to Dunbar Industries, Inc., Toledo, Ohio, its successors or assigns, or to a committee to be selected as herein provided, and approval of such plans and specifications or any part thereof shall be endorsed thereon in writing prior to commencement of construction, moving or maintenance. Unless such plans and specifications or any part thereof shall have been disapproved in writing within thirty (30) days from the date of such submission, such plans and specifications shall be conclusively deemed to have been approved. The committee referred to herein shall be selected after Dunbar Industries, Inc. has conveyed ninety per cent (90%) of the lots in Crossgates, Plat V, said committee to be selected by the owner of a majority of said lots in said subdivision. Said committee shall consist of three (3) members, each of whom shall be the owner in fee simple of property in said Plat V. Said committee shall serve without compensation and may act by a majority vote. The members shall serve at the sufferance of the authority by which they are elected, and vacancies occurring on said committee shall be filled by selection of new members in the same manner as provided for selection of the committee. The said Dunbar Industries, Inc. may, by designation in writing, assign its rights herein in this paragraph (i) contained to a corporation, person, partnership or committee.

(j) No fence, wall or hedge shall be erected or maintained nearer to the dedicated street line than the building setback line of any lot nor shall any fence or wall be erected
on any lot without prior written approval being obtained in the manner provided in paragraph (1) hereof.

(k) No trade or business shall be permitted or conducted on any lot, nor shall anything be done thereon which may be or become any annoyance or nuisance to the neighborhood.

(l) A perpetual easement is reserved to the undersigned, its successors and assigns, over the rear five (5) feet of each lot and across other spaces designated on the recorded plat as an easement right-of-way for utility installation, removal, repairs and maintenance. The said Dunbar Industries, Inc., its successors or assigns designated in writing, shall have the right in such spaces therein designated for utility installation to enter upon the same for utility installation, removal, repair and maintenance without notice to any owner.

(m) If any lot owner or tenant thereof, or any other occupant of any lot in said subdivision shall violate or threaten to attempt to violate any restriction herein contained, it shall be lawful for any other person or persons owning any real property in said subdivision to prosecute any proceeding at law or in equity in any proper court or tribunal against the person or persons to violating, threatening or attempting to violate, to prevent him or them from so doing, or to correct any such violation, or to recover damages or other dues for such violation.

(n) If any restriction hereinafter set forth should be held invalid, unenforceable, or otherwise inoperative, in whole or in part by any court, the remainder of the restrictions shall not be affected thereby, but shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have hereunto caused its corporate name and seal to be affixed, and this Declaration of Restrictions to be executed by R. G. Dunbar, its President, and S. S. Levin, its Secretary, being duly authorized in the premises, and Raymond J. Taylor and June M. Taylor, this 13th day of February, 1964.

Signed by Dunbar Industries, Inc., by R. G. Dunbar, President, S. S. Levin, Secretary, and by Raymond J. Taylor and June M. Taylor.

Two witnesses.

Acknowledged February 13, 1964 by the above named parties before a Notary Public,
Lucas County, Ohio (Seal).

Received for record March 20, 1964 at 3:32 P.M., and recorded in Volume 2107 of Mortgages, page 401.
AMENDMENT TO CROSSGATES PLAT V

WITNESS THAT:

WHEREAS, Elmhurst Land Co. is the owner of Lots numbers 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 214, 215, 216, 218, 219, 222, 224, 226 and Lot A and;

WHEREAS, Joy A. Walker and Pauline A. Walker are owners of Lot number 213 and;

WHEREAS, Kelley Construction Company is the owner of Lots numbers 217 and 220 and;

WHEREAS, Stanley E. Moulton and Marion E. Moulton are the owners of Lot 221 and;

WHEREAS, Raymond J. Taylor and June M. Taylor are owners of Lot number 223 and;

WHEREAS, Ray B. Kay and Marie R. Kay are owners of Lot number 224 and;

WHEREAS, certain building line set backs were established on all lots in Crossgates Plat V, said Plat having been filed February 7, 1960 and recorded in Volume 60 of Plats, page 64 and

WHEREAS, it is the desire of all the said lot owners of Crossgates Plat V, to amend and modify said building lines to read as follows:

"Lots Numbers 216, 217, 218, 219, 220, 221, Crossgates Plat Five is duly amended to read 30 foot building line setback."

Signed and acknowledged June 22, 1964 before a Notary Public, Lucas County, Ohio, (seal).

Filed for record June 23, 1964 at 2:07 P.M. and recorded in Volume 2117 of Mortgages, page 352.