EASTWYCK
PLATS 3

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DECLARATION OF RESTRICTIONS

WHEREAS, East, Inc. is the owner of all the following described real estate, to wit:

Eastwyck Plat three, lot "G" and lots 42 through 63 both inclusive, a subdivision in the City of Oregon, Lucas County, Ohio.

Now, therefore, the Owners in order to establish a general plan for the development of said subdivision, designed to make the said subdivision more attractive and to protect owners of said lots in the enjoyment of their use, and in consideration of the enhancement in value thereof, does hereby declare and stipulate that the above described real estate now owned by it shall hereafter be conveyed subject to the restrictions hereafter set forth.

1. Now, therefore, Lots 64 and 65 are designated apartment sites (8 Family apartment building total each lot) and lot 66 is designated a duplex or twonplex (2 Family maximum) on lot 66, in Eastwyck Plat three, shall hereafter be conveyed subject to the restrictions set forth below.

A. LAND USE AND BUILDING TYPE No lot shall be used other than for residential apartment or duplex purposes. Such apartment buildings or duplex may include attached garages or detached garages which conform architecturally to the apartment or duplex building. No building located on these lots shall exceed 2 1/2 stories in height without the specific waiver and approval by the Architectural Control Committee.

B. BUILDING LOCATION No building shall be located on any lot nearer to the front lot line than the minimum building set back lines as shown on the recorded plat. All or some buildings may be located behind such set back lines shown on recorded plat if the Architectural Control Committee hereinafter designated deems it desirable. No building shall be located nearer to the rear lot line than shall be
determined by such Architectural Control Committee.

C. ARCHITECTURAL CONTROL No apartment building or duplex, swimming pool, fence, hedge, sign, wall, grading, planting, of any character, or other structure or facility shall be commenced, erected, or maintained, nor shall any alteration, addition or change be made on any lot, or to the buildings located on any lot which affects the exterior appearance thereof until the plans and specifications therefor, showing, to the extent applicable, the nature, kind, shape, height, grade, materials, floor plans, garage location and style, parking facilities, landscaping, driveway location, color scheme, architectural style, and location of such structure or work to be done and grading plan of the lot to be built upon, showing topographical data and surface drainage, shall have been submitted to and approved in writing by the Architectural Control Committee. The Committee shall have the right to refuse to approve any such plan or specifications or grading plans, which are not suitable or desirable in its opinion for aesthetic or other reasons and in so passing upon such plans, specifications and grading plans, they shall have the right to take into consideration the suitability of the proposed building or other structures and of the materials with which it is to be built to the site upon which it is proposed to erect the same, the harmony thereof with the surroundings and the effect of the building or other structure as planned on the outlook from the adjacent neighboring property. The Architectural Control shall set all building grades and all maximum heights.

2. Now, therefore, Lots 42 through 63 both inclusive, and lots 67 through 83 both inclusive in Eastwyck Plat III shall hereafter be conveyed subject to the restrictions hereafter set forth.

A. LAND USE AND BUILDING TYPE No lot shall be used other than for single family residential purposes. Such residential buildings
may include attached garages or detached garages which conform architecturally. No building located on these lots shall exceed two stories in height and a private garage for not more than two and one-half cars. No garage shall be erected or maintained nearer any rear or side lot line than two feet.

B. BUILDING LOCATION. No building shall be located on any lot nearer to the front lot line than the minimum building set back lines as shown on the recorded plat. All or some buildings may be located behind such set back lines shown on recorded plat if the Architectural Control Committee hereinafter designated deems it desirable. No building shall be located nearer to the rear lot line than shall be determined by such Architectural Control Committee.

C. ARCHITECTURAL CONTROL. No residential buildings, swimming pool, fence, hedge, sign, wall, grading, planting, of any character, or other structure or facility shall be commenced, erected, or maintained, nor shall any alteration, addition or change be made on any lot, or to the buildings located on any lot which affects the exterior appearances thereof until the plans and specifications therefor, showing, to the extent applicable, the nature, kind, shape, height, grade, materials, floor plans, garage location and style, parking facilities, landscaping, driveway location, color scheme, architectural style, and location of such structure or work to be done and grading plan of the lot to be built upon, showing topographical data and surface drainage, shall have been submitted to and approved in writing by the Architectural Control Committee. The Committee shall have the right to refuse to approve any such plan or specifications or grading plans, which are not suitable or desirable in its' opinion for aesthetic or other reasons and in so passing upon such plans, specifications and grading plans, they shall have the right to take into consideration the
suitability of the proposed building or other structures and of the materials with which it is to be built to the site upon which it is proposed to erect the same, the harmony thereof with the surroundings and the effect of the building or other structure as planned on the outlook from the adjacent neighboring property. The Architectural Control Committee shall set all building grades and all maximum heights.

3. Now, therefore, lots number 42 through 83 both inclusive in Eastwyck Plat Three shall hereafter be conveyed subject to the following:

**MISCELLANEOUS RESTRICTIONS**

A. No fence of any kind whatsoever shall be permitted to enclose the yard in front of the building line on said Plats, and no fence except of an ornamental nature may be used to enclose side and rear areas.

B. **Easements.** Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat.

C. No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance to the neighborhood.

D. **ARCHITECTURAL CONTROL COMMITTEE** The Architectural Control Committee shall consist of two officers of East, Inc. as elected by the shareholders. In the event of death or resignation of either member of the Committee, the remaining member shall have full authority to designate a successor. If at any time a committee fails to exist by reason of the death and/or resignation of both committee members without the appointment of a successor or successors a new committee may be elected by the owners of a majority of the lots in Eastwyck Plat three effective upon the filing for record of a written instrument signed by such owners designating such committee members.
All Plans and Specifications required to be approved or disapproved by these covenants, shall be submitted to the Committee at the residence address of any member in Lucas County, Ohio. The Committee shall approve or disapprove said Plans and Specifications in writing within thirty days from date of their submission.

The members of this Committee shall serve without compensation.

E. Each lot owner shall not later than July 15, 1973 construct, or cause to be constructed on their property a sidewalk conforming to the regulations of the City of Oregon then in effect, upon failure of the lot owner to so construct, East, Inc., shall by its agents have a right to come onto or about the premises and so construct a sidewalk, and the cost of the same shall be a charge against said real property and/or the owners thereof and the Corporation shall have a right to file a lien against the property for the cost of construction of said sidewalk.

4. Invalidation of any of the restrictions and covenants herein, by judgment, court order, or otherwise shall in no wise affect any of the other provisions contained in this Declaration of Restrictions, which shall remain in full force and effect.

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of thirty years from the date these covenants are recorded after which time said covenants shall be automatically extended for successive periods of 10 years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

(Corporate Seal) (Signed) EAST, INC.

By Richard V. Balas, President
By Robert William McDole, Treasurer
Acknowledged April 12th, 1971 by said corporation, by said officers, by authority of its Board of Directors, before a Notary Public, Lucas County, Ohio, (Seal).

Received for record April 12th 1971 at 3:08 P.M., and recorded in Volume 2345 of Mortgages, page 609.