FAIR HILLS

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DECLARATION OF RESTRICTIONS
FOR FAR HILLS SUBDIVISION.

WHEREAS, Nicholas G. Beresky, Thomas Falk and Donald W. Hutton, hereinafter referred to as the Owners, hold title in fee simple to the following described parcels of land, situated in Sylvania Township, Lucas County, Ohio, to-wit:

Lots numbered 1 to 17, both inclusive, in Far Hills Subdivision, Sylvania Township, Lucas County, Ohio.

and said parcels are hereinafter referred to as Far Hills.

NOW, THEREFORE, in consideration of the premises, and in consideration of the enhancement in value thereof, and to afford purchasers due and complete protection in the use and occupancy thereof for the purposes of which the same are designated and to provide a uniform general plan for the development, improvement, use, occupancy and enjoyment of Far Hills, as an architectural, harmonious, artistic and desirable residential district, Nicholas G. Beresky, Thomas Falk and Donald W. Hutton, for themselves, their heirs and assigns, hereby declare and stipulate that the above described land is hereby restricted in accordance with the restrictions hereinafter set forth, and agrees that each lot in Far Hills shall be conveyed by them, their heirs and assigns, subject to these restrictions:

1. These covenants and restrictions are to run with the land and shall be binding on Nicholas G. Beresky, Thomas Falk, and Donald W. Hutton, their heirs and assigns, and each and every person who shall hereafter become the owner of any interest in any lot or any part of a lot in said tract and shall continue until January 1, 1975, at which time said conveyance
shall be automatically extended for successive periods of 10 years each unless the owners of a majority of the frontage of the lots covered by these restrictions shall agree in writing to change these restrictions in whole or in part.

2. All lots, subdivision of lots, and portions of Far Hills shall be restricted to residence purposes only, and no building or structure of any kind shall be erected or maintained in the premises other than a single residence designed for the use of one family only, with private garage or approved car storage area for the sole use of the occupier of said premises. Not more than one residence shall be built upon any building site which must have at least 20,000 square feet area.

3. No noxious or offensive trade or activity shall be carried on in Far Hills nor shall anything be permitted therein which may be or become an annoyance or nuisance. No part of said tract shall be used or occupied for the following purposes: dog, cat, animal hospital, kennel or house, stables, cattle yard, hog pen, fowl yard or house or keeping of any animal, fowl or bird which may cause nuisance; nor storage of trailers, automobiles, scrap iron, wood, building materials, paper, glass, junk or any reclaimed products; nor shall said premises be used for any business or criminal purposes whatsoever; nor shall it be used for any mercantile or 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 purpose of the premises for single residential purposes. Only 2 house dogs and 1 house cat may be kept on any one building site.
4. 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 completely finished as specified and called for in the plans and specifications, thereof.

5. The kind of residential structure that shall be permitted on each lot shall be subject to the approval of the Subdivider or his Committee. Lots No. 1, No. 2, No. 16, and No. 17 must be confined to one-story ranch type homes.

6. No foundation shall be placed nearer than 35 feet from the front line of a building site which coincides with the building lines on said plat; no foundation shall be nearer the side line of any building site than 10 per cent of the width of the building site; no porch shall project forward from the foundation in any manner so as to be closer than 35 feet from the front property line; nor shall a porch be nearer the side line of any building site than 10 per cent of the width of the building site.

7. No building, fence, hedge, wall, walk or other structure, grading or planting shall be commenced, erected, or maintained, nor shall any addition to, or change or alteration therein be made until the plans and specifications, showing the nature, kind, shape, height, materials, floor plans, color scheme, location and number of square feet of such structure or work to be done, and the grading plan of the plot to be built upon shall have been submitted to and approved in writing by Nicholas G. Beresky, Developer of the Subdivision, or a committee to be named by said Developer, or their survivors.
In the event of the resignation, death or failure to act by any member of such a committee, the remaining members shall have the power to appoint a member to succeed to any of the above. The above committee then shall serve until another committee is selected as hereinafter provided. The committee shall have the right to refuse to approve any plans or specifications or grading plans, which are not desirable or suitable, in its opinion, for aesthetic or other reasons; and in deciding upon such plans, specifications and grading plans, the committee shall have the right to take into consideration all of the restrictions contained herein and shall further have the right to consider whether or not the external design, grading and the location of the buildings conform to and are harmonious with the existing buildings in said Far Hills and surrounding territory. In the event such person or committee shall fail to approve or disapprove such plans, specifications and grading plans within 30 days after the same have been submitted, then such approval will not be required, provided however, the design of the structure, construction, and its location of the building site conforms to and is in harmony with existing buildings in Far Hills and restrictions contained herein. After two-thirds of the lots have been sold, the Developer may appoint a committee made up of property owners in Far Hills Subdivision, which committee shall approve all plans and specifications according to the restrictions contained herein.

6. The provisions of this declaration shall bind and inure to the benefit of and be enforceable by Nicholas G. Beresky, Thomas Falk, and Donald W. Hutton, their heirs, legal representatives, and assigns, and any other lot owners, their
heirs, legal representatives and assigns, having lots on
building sites subject to these restrictions. These restrictions
may be enforced by injunction or other appropriate legal remedy.

9. Invalidation of any one or any part thereof,
of the foregoing covenants or restrictions by a judgment or
court order shall in no wise affect any of the others, which
shall remain in full force and effect.

In consideration of the premises and of the enhancement
in value to said parcels of land hereinbefore described as – Lots
Numbered 1 to 17, both inclusive, in Far Hills Subdivision,
Sylvania Township, Lucas County, Ohio, Nicholas G. Beresky,
Thomas Falk, and Donald W. Hutton, Owners, do hereby declare
and establish the foregoing restrictions and covenants and
execute the same this 9th day of July, 1954.

Signed by: Nicholas G. Beresky, Husband, Shirley B.
Beresky, Wife, Donald W. Hutton, Husband, Marjorie T. Hutton,

Seven witnesses in general.

Acknowledged July 14, 1954 by Donald W. Hutton,
Marjorie T. Hutton, Husband and Wife, and Thomas Falk and
Eileen M. Falk, Husband and Wife, before a Notary Public,
Coles County, Illinois, (seal).

Acknowledged July 16, 1954 by Nicholas G. Beresky
and Shirley B. Beresky, Husband and Wife, before a Notary Public,
Lucas County, Ohio, (seal).

Received for record July 16, 1954 and recorded in
Volume 1673 of Mortgages, page 140.