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, S & P HOMES, INC., an Ohio Corporation, hereinafter called "Owner," is the owner in fee simple of the following described real estate:

Lots numbers fifty-nine (59) to one hundred three (103), both inclusive, in Heatherwoods Plat Four (4), a Subdivision in the City of Toledo, Lucas County, Ohio; and

WHEREAS, said Owner desires to establish a general plan for the development of said Heatherwoods, Plat 4 and to establish restrictions upon the manner of use, improvement and enjoyment of the lots in said Subdivision which will make said lots more attractive for residential purposes and protect present and future owners of said lots in the enjoyment of their use for residential purposes;

NOW, THEREFORE, said Owner, in consideration of the enhancement in value of said property be reason of the adoption of the restrictions hereinafter set forth, does, for itself, its successors and assigns, hereby declare, covenant, and stipulate that all lots as numbered above shall hereafter be conveyed by it, its successors and assigns, subject to the following restrictions, which restrictions supersede any and all other restrictions heretofore enforced on said property by any other instrument:

1. These covenants and restrictions are to run with the land and shall be binding upon said Owner and all persons claiming under or through them until the 1st day of January, 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 the lots
numbered above it is agreed to change said restrictions and covenants in
whole or in part. Such changes shall be by instrument setting forth
said changes and acknowledged by at least the then owners of a majority
of said lots, which instrument shall be filed for record with the
Recorder of Lucas County, Ohio, previous to the termination of the
successive periods 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
Recorder of Lucas County, Ohio.

2. Invalidation of any of the restrictions and covenants herein
by judgment or court order or by act of the owners as provided in (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 or purpose, 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 of the above numbered lots in Heatherwoods, Plat 4 shall
be described and known as residential lots; and no structure shall be
placed on any such residential lot other than one single family dwelling
and a private garage of not more than two car capacity which must be
made an integral part of the main residence structure.

6. No building, structure or basement shall be erected, placed
or altered on any such residential lot numbered above until the building
plans and specifications and a plot plan showing the location of such
building have been approved in writing by S & P Homes, Inc. as to the
architectural design, size, quality and cost of such building and as to its location with respect to topography and finished ground elevation. No porch or structural change shall be made unless approved in writing by S & P Homes, Inc. Such approval shall be required for a period of 5 years from the date hereof.

7. No building or any part thereof shall be erected or maintained on any part of said lots nearer to the front lot line or nearer to the side lot line than the minimum building setback lines shown on the recorded plat or nearer than 8 feet to the side lot line of any of said lots.

8. No more than one single family dwelling shall be erected on any one lot but nothing herein contained shall be construed to prevent the purchase of 2 adjoining lots by a single owner and erection of a single residence on or about the center of the parcel created by the joining of the two lots.

9. Other than 2 dogs, 2 house cats, and birds maintained within the dwelling, the maintenance or harboring of any other animal, bird or fowl is expressly prohibited on said lots.

10. Said premises shall not be used for any mercantile, manufacturing, storage or business purpose, nor same be used for a boarding house, rooming house, public or private hospital or for any infirmary purposes, said premises being herein expressly restricted to single family residential purposes only.

11. Said premises shall not be used for the storage of automobiles, trailers, scrap, scrap iron, wood, building materials, paper, glass or any reclamation product or material, except that during the period a building is being erected upon any such lot, building materials may be stored thereon. However, any building material not incorporated in said building within 90 days after its delivery to such lot shall be removed therefrom. Structures must be completed by an owner within 6 months of
the date of the beginning of construction.

12. No trash burner, outdoor fireplace or other device expelling gases shall be placed within 20 feet of any line of adjoining lots.

13. No portion of any lot between the building line as shown on the plat and any road, avenue or street, exclusive of porches, shall be used for any purpose other than that of lawn or shrubbery, and no fence shall be built between the building line and the street line, as shown on the plat.

14. No ornamental fence, hedge or wall shall exceed 4 feet in height.

15. No weeds, underbrush or unsightly objects of any kind shall be placed or suffered to remain upon any part of said premises.

16. No sod, dirt or gravel, other than that incident to construction of permitted structures, shall be removed from said premises without the approval of S & P Homes, Inc.

17. Any tent, houseboat, trailer or other similar housing device if stored on said premises shall be housed within a garage building.

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

IN WITNESS WHEREOF, the said S & P Homes, Inc., has hereunto set its hand this 29th day of April, 1960.

Signed by S & P Homes, Inc., by Harvey F. Steinhauer, President, by Karl J. Pankraatz, Secretary.

Two witnesses.

Acknowledged April 29, 1960 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 29, 1960 at 3:55 P.M., and recorded in Volume 1968 Page 30.
AMENDMENT TO DECLARATION OF RESTRICTIONS

WHEREAS, S & P HOMES, INC., an Ohio Corporation, executed and caused to be recorded a Declaration of Restrictions as the owner in fee simple of the following described real estate:

Lots numbers 59 to 103 both inclusive in Heatherwoods Plat Four, a Subdivision in the City of Toledo, Lucas County, Ohio.

Said Declaration of Restrictions being recorded April 27, 1960 in Volume 1968 at page 30; and

WHEREAS, Paragraph number one of said restrictions provides:

"1. These covenants and restrictions are to run with the land and shall be binding upon said Owner and all persons claiming under or through them until the 1st day of January, 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 the lots numbered above it is agreed to change said restrictions and covenants in whole or in part. Such changes shall be by instrument setting forth said changes and acknowledged by at least the then owners of a majority of said lots, which instrument shall be filed for record with the Recorder of Lucas County, Ohio, previous to the termination of the successive periods 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 Recorder of Lucas County"; and

WHEREAS, the owners of a majority of said lots in compliance with paragraph number one of said restrictions do desire to amend said restrictions as to lot number 83 so that paragraph number 5 providing the following:

"5. All of the above numbered lots in Heatherwoods, Plat 4 shall be described and known as residential lots; and no structure shall be placed on any such residential lot other than one single family dwelling and a private garage of not more than two car capacity which must be made an integral part of the main residence structure"

shall be removed as a restriction on said lot.

NOW, THEREFORE, the owners of a majority of said lots pursuant to the provisions for amendment to the Declaration of Restrictions contained in paragraph number one of said restrictions do for themselves and their heirs and assigns hereby declare, covenant and stipulate that paragraph number 5 of the Declaration of Restrictions is hereby revoked as to lot number 83 in Heatherwoods Plat 4, a Subdivision in the City of Toledo, Lucas County, Ohio. Said revocation shall be full, final and complete and shall run with the land.
IN WITNESS WHEREOF, the said owners of said lots in Heatherwoode, Plat A, a Subdivision in the City of Toledo, Lucas County, Ohio have hereunto set their hands on the dates hereafter indicated.

Witnesses:

Mrs. Enrico Wolf
Magnus F. Strain
Lot No. 59

Mrs. Ernica Wolf
Margaret W. Strain
Lot No. 60

Mrs. Ernica Wolf
Margaret W. Strain
Lot No. 61

Mrs. Ernica Wolf
Margaret W. Strain
Lot No. 62

Mrs. Ernica Wolf
Margaret W. Strain
Lot No. 63

Mrs. Ernica Wolf
Margaret W. Strain
Lot No. 64

Mrs. Ernica Wolf
Margaret W. Strain
Lot No. 65

Pearl Maize Huston
2377 Belvedere, Toledo, Ohio
Date: 10-14-77

Chester F. Nowak
2367 Belvedere, Toledo, Ohio
Date: 10-13-77

Irene J. Nowak
2367 Belvedere, Toledo, Ohio
Date: 10-13-77

Ralph A. Higgins
Lucille J. Higgins
2359 Belvedere, Toledo, Ohio
Date: 10-13-77

Bernard F. Hajo
Julie M. Hajo
2351 Belvedere, Toledo, Ohio
Date: 10-13-77

Kurt Rinas
Barbara J. Rinas
2349 Belvedere, Toledo, Ohio
Date: 10-13-77

Robert R. Neumann
Theresa R. Neumann
2333 Belvedere, Toledo, Ohio
Date: 10-13-77

Terry R. Keller
Patricia A. Keller
2325 Belvedere, Toledo, Ohio
Date: 10-13-77

The above nine signatures were subscribed before me this 13 day of October, 1977

MARGARET H. STRAIN
2. NOTARY PUBLIC OF OHIO

Date: 10-14-77
Witnesses:

Lot No. 66

__________________________

__________________________

__________________________

__________________________

__________________________

Jack L. Burgoon

__________________________

Lois E. Burgoon

2317 Belvedere, Toledo, Ohio

__________________________

__________________________

Walter Kirby

__________________________

Suzanne E. Kirby

2307 Belvedere, Toledo, Ohio

__________________________

__________________________

Norman A. Hurley

__________________________

Anne C. Hurley

4164 Forest Scene, Toledo, Ohio

__________________________

__________________________

Alma H. Henry

2275 Belvedere, Toledo, Ohio

__________________________

__________________________

Paul I. Bryan

__________________________

Gertrude B. Bryan

2265 Belvedere, Toledo, Ohio

__________________________

__________________________

Dorothy A. Bliugawicz

2267 Belvedere, Toledo, Ohio

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Leonard V. Grudzinski

__________________________

Alice C. Grudzinski

2249 Belvedere, Toledo, Ohio

__________________________

__________________________

13 day of October 1977

__________________________

MARGARET H. STETZER

NOTARY PUBLIC of OHIO

MY COMMISSION EXPIRES 11-14-81

Signature on 10-14-77
Witnesses:

Lot No. 73

Myron Schreiner

Olive Schreiner
2241 Belvedere, Toledo, Ohio
Date: ________________

Margaret H. Lange

Berta E. Gornow
2235 Belvedere, Toledo, Ohio
Date: 10-13-77

Lot No. 74

Michael H. Lange

Dorothy Lange
2225 Belvedere, Toledo, Ohio
Date: ________________

Lot No. 75

Gilbert F. Marietta

Elsie R. Marietta
2219 Belvedere, Toledo, Ohio
Date: ________________

Lot No. 76

Beverly Bishop

Beverly Bishop
2222 Belvedere, Toledo, Ohio
Date: 10-13-77

Lot No. 77

Margaret H. Steinmetz

Salley E. Metter
4234 Miramar, Toledo, Ohio
Date: 10-13-77

Lot No. 78

Margaret H. Steinmetz

Gustav Hoffmann
Dona F. Counts

Lot No. 79

The following six signatures were subscribed hereunto on the 13th day of Oct., 1977.

Margaret H. Steinmetz

MARGARET H. STEINMETZ
NOTARY PUBLIC OF OHIO
MY COMMISSION EXPIRES 11-14-81
Witnesses:

Clyde E. Rosene
4250 Miramar, Toledo, Ohio
Date: 10-14-77

Agnes M. Rosene
224 Kneer Drive, Toledo, Ohio
Date: 10-14-77

Melvin Nadolny
4256 Miramar, Toledo, Ohio
Date: 10-14-77

Hartha Nadolny
4256 Miramar, Toledo, Ohio
Date: 10-14-77

Walter G. Roginski
4266 Miramar, Toledo, Ohio
Date: 10-14-77

Mary Helen Kurth
4275 Miramar, Toledo, Ohio
Date: 10-14-77

Marcella K. Mackey
4274 Miramar, Toledo, Ohio
Date: 10-14-77

Clarence L. Mackey
4274 Miramar, Toledo, Ohio
Date: 10-14-77

The following seven signatures were subscribed before me this 14th day of Oct., 1977.

Margaret H. Strain
Notary Public of Ohio
My Commission Expires 11-14-81

Date: 10-14-77
Witnesses:

Robert E. Klefer
Frances E. Klefer
4261 Miramar, Toledo, Ohio
Date: 10-14-77

Harold Schwartz
Glenda Susan Schwartz
4233 Miramar, Toledo, Ohio
Date: 10-14-77

James G. McCutchan
Frances McCutchan
2242 Belvedere, Toledo, Ohio
Date: 10-14-77

Hilton G. Fetting
Blandina H. Fetting
2254 Belvedere, Toledo, Ohio
Date: 10-12-77

Arthur J. Engel
Rose H. Engel
2262 Belvedere, Toledo, Ohio
Date: 10-13-77

Arthur J. Snyder
Betty J. Snyder
2270 Belvedere, Toledo, Ohio
Date: 10-13-77

Margaret H. Strain
MARGARET H. STRAIN
NOTARY PUBLIC OF OHIO
MY COMMISSION EXPIRES 11-14-81

The following eight structures were sold in the City of Toledo, Ohio, on this 13th day of Oct., 1977

1. Signed 10-14-77
Witnesses:

Margaret H. Strain Lot No. 94
Margaret H. Strain
Margaret H. Strain Lot No. 95
Margaret H. Strain

Lot No. 96

Margaret H. Strain Lot No. 97
Margaret H. Strain
Margaret H. Strain Lot No. 98
Margaret H. Strain
Margaret H. Strain Lot No. 99
Margaret H. Strain
Margaret H. Strain Lot No. 100
Margaret H. Strain

The following eleven signatures were subscribed to this 15th day of Oct., 1977

Margaret H. Strain
NOTARY PUBLIC OF OHIO
MY COMMISSION EXPIRES 11-14-81
Witnesses:  

Lot No. 101  

Eugene M. Konczal  
2358 Belvedere, Toledo, Ohio  
Date:  

Lot No. 102  

Charles A. Fleig  
Barbara A. Fleig  
2368 Belvedere, Toledo, Ohio  
Date: 10/14/77

Lot No. 103  

Joseph Veres  
Rita M. Veres  
2378 Belvedere, Toledo, Ohio  
Date: 10/14/77

Under date of October 14, 1977, the above  
three signatures were subscribed before me.  

Margaret H. Stanis  
Notary Public of Ohio  
My Commission Exp. 11/14/81
STATE OF OHIO
LUCAS COUNTY ) ss:


IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

[Signature]
Notary Public
Margaret H. Strain
Notary State of Ohio
My Commission expires 11-14-81

STATE OF OHIO
LUCAS COUNTY ) ss:

BE IT REMEMBERED that on the 14th day of October, 1977, before me, the subscriber, a Notary Public within and for said county, personally came Pearl Huston, Ralph H. Higgins, Lucile S. Higgins, Norman A. Hurley, Anne C. Hurley, Clyde E. Rose, Agnes H. Rose, Melvin Nadolny, Martha Nadolny, Harold Schwartz, James G. McCutchan, Frances McCutchan, Charles A. Fleig, Barbara A. Fleig, Joseph Veres, and Rita M. Veres and acknowledged the signing thereof to be their voluntary act and deed, for the purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

[Signature]
Notary Public
Margaret H. Strain
Notary State of Ohio
My Commission expires 11-14-81

This instrument prepared by:

H. Robert Hess, Attorney
First Federal Building
5740 Southwyck Boulevard
Toledo, Ohio 43614
Telephone: 862-8021

Received for record October 19" 1977 at 9:34 A.M. in Mortgage Record 77-1216A01, Lucas County, Ohio Records.