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
ON LOTS IN THE FIRST EXTENSION OF
OAK LEAF PLACE

WHEREAS, The Port Lawrence Title and Trust Company, Trustee, of Toledo, Ohio, is the owner and holder of record title to all lots in the First Extension of Oak Leaf Place, a Subdivision partly in Washington Township and partly in the City of Toledo, Lucas County, Ohio, the Plat of said Subdivision being recorded in Volume 46, page 4 & 5 Book of Plats in the Office of the Recorder of Lucas County, Ohio; and

WHEREAS, The Port Lawrence Title and Trust Company, Trustee, holds title to all the lots in said Subdivision pursuant to a certain Declaration of Trust by and between said Trustee and certain persons owning lots in Oak Leaf Place, a Subdivision partly in Washington Township and partly in the City of Toledo, Lucas County, Ohio, which Declaration of Trust is dated the 7th day of March, 1947, and authorizes and empowers said Trustee to restrict said lots held by it as Trustee in the manner hereinafter set forth:
NOW, THEREFORE, The Port Lawrence Title and Trust Company, Trustee, pursuant to the terms of said Trust, and for the purpose of improving and enhancing the value of said lots in said First Extension of Oak Leaf Place, and to afford purchasers of said lots due and ample protection in the use and occupancy thereof, said The Port Lawrence Title and Trust Company, Trustee, does hereby declare that all of said lots in said First Extension of Oak Leaf Place are held by it and shall only be conveyed subject to the restrictions and conditions hereinafter set forth, which shall run with and bind said lands, and shall continue in force for the period of time hereinafter specified. These restrictions and conditions shall inure to the benefit of and bind any and all of the owners of any lot in said First Extension of Oak Leaf Place, and are as follows:

1. Lot No. 91 is reserved for commercial purposes and shall only be sold to be used for such purpose. The building or structure erected on said lot shall be a one or two story type building or structure of masonry construction.

2. Lot No. 131 is reserved for private residence purposes only and no building or buildings of any kind whatsoever shall be constructed, erected or maintained thereon, other than a building designed and constructed for the use of not more than four families; the side foundation walls of such building shall be at least five (5) feet from one sideline and ten (10) feet from the other sideline of said lot, and such building when erected shall not be used or occupied by more than four families. A private garage may be constructed on said premises for the sole use of the owner or tenants occupying said dwelling house, provided however, that no building shall be commenced or erected on said lot until the plans and specifications for such building are submitted to and approved by the committee, consisting of Paul F. H. Reichert, Philip D. Provo, Frank E. Weir and Richard Keilholtz, or
their successors duly named by the owners of a majority of the lots in Oak Leaf Place First Extension.

2. Each of the lots in said First Extension of Oak Leaf Place numbered from 92 to 130, both inclusive, are hereby restricted from being sold, leased or used separately from the respective West abutting lot in Oak Leaf Place, a Subdivision partly in Washington Township, and partly in the City of Toledo, Lucas County, Ohio; Lots numbered 63, 64, 78 and 79 of said Oak Leaf Place are hereby considered the West abutting lots for the entire specified widths of lots numbered 119, 118, 104 and 103, respectively, of said First Extension of Oak Leaf Place, all as more fully shown and indicated on the Plat of said First Extension of Oak Leaf Place recorded in Volume 48, page 4 & 5, Book of Plats in the Office of the Recorder, Lucas County, Ohio. Said lots numbered 92 to 130, both inclusive, shall be further restricted as follows:

(a) No building or structure of any kind, character or description shall at any time be erected, constructed or maintained on any of said lots, excepting however, a summer house or tool house, which shall not be used for residence or living purposes and providing plans and specifications thereto are submitted to and approved by the committee above referred to or their successors. however, any one of said lots may be enclosed with a suitable fence not exceeding 4 feet in height, and hedges or shrubbery may be planted on any of said lots along and parallel with the lot lines of any of said lots.

(b) The purchaser of any lot or lots from said Trustee, or the subsequent owners of any of said lot or lots must keep the same in a safe and sanitary condition, and not place and allow to accumulate thereon any dirt, rubbish, weeds or other offensive material of any kind, and not keep or maintain or allow thereon any poultry or livestock.

(c) Said lots may be used for gardens, playgrounds for children, or any other similar purpose, but may not be used for parking
of automobiles, trucks, house trailers or other vehicles, or for any purpose which would violate the laws of the State of Ohio or the Ordinances of the City of Toledo.

(d) A violation of any of the restrictions or conditions herein contained, by the owner of any lot in the First Extension of Oak Leaf Place, shall give to the owners of any lot in said First Extension of Oak Leaf Place the right to enter upon the property upon which said violation exists and/or to abate and remove any building or anything placed on any of said lots in violation of these restrictions; or abate and remove any condition that may be existing thereon contrary to the intent, purpose and meaning of the provisions of these restrictions, and such lot owner shall not be thereby deemed guilty of any manner of trespass for such entry, abatement or removal, or liable for damages by reason thereof.

4. The foregoing restrictions shall be and remain in full force and effect from the date hereof for a period of twenty-five (25) years, and shall continue in force thereafter until owners of a majority of the lots in Oak Leaf Place, First Extension, shall have executed and filed for record in the Recorder's Office in Lucas County, Ohio, an appropriate instrument annulling and cancelling said restrictions, and shall be binding upon the purchaser and/or owner, lessee, and/or tenant of any owner of any lot in said First Extension of Oak Leaf Place, for and during the period of the existence of these restrictions.

5. The provisions hereof shall bind and inure to the benefit of and be enforceable by any lot owner in said First Extension of Oak Leaf Place, or their respective legal representatives, successors, heirs or assigns, during the term of these restrictions and the failure or neglect of any owner of any one of said lots to enforce any of said restrictions or to object to the violations of any of said restrictions by the owner, lessee or tenant of any owner of any other lot in said
First Extension of Oak Leaf Place, shall in no event be deemed a waiver of any of these restrictions or prevent any lot owner in said First Extension of Oak Leaf Place thereafter to enforce said restrictions or to abate or cause to be abated any breach or failure to observe said restrictions, whether occurring prior or subsequent thereto.

IN WITNESS WHEREOF, the undersigned owner of all of the lots in the First Extension of Oak Leaf Place, said lots being numbered 91 to 131, both inclusive, has hereunto subscribed its name and executed this Declaration of Restrictions covering said lots, this 7th day of March, 1947.

THE PORT LAWRENCE TITLE AND TRUST COMPANY, TRUSTEE

By J. Albert Laskey, Vice-President,

By M. B. Fehlhaber, Secretary.

Two Witnesses.

Acknowledged March 7, 1947, by said Company, as Trustee, by said officers before a Notary Public, Lucas County, Ohio

Received for record March 13, 1947 at 4:10 P. M., and recorded in Volume 1334 of Mortgages, page 277.