PHILMAR PLACE

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.
This indenture entered into by and between the parties hereto on the day and year hereinafter written; and

WHEREAS, Philmar Place is a subdivision in Washington Township, Lucas County, Ohio, which has been subdivided and laid out into lots which are numbered consecutively from Number 1 to 14 both inclusive with a certain street dedicated to public use in accordance with the original plat thereof which is recorded in volume 52 at pages 48 of the Plat records of the Recorder of Lucas County, Ohio; and

WHEREAS, it is necessary to impose reasonable restrictions upon the manner of use, improvement and enjoyment of said land by all of the owners thereof, their vendors, grantees, devisees, tenants, or occupants together with all persons who shall hereafter become purchasers, owners, tenants or occupants of any lot, lots, or part thereof located and situated in Philmar Place Addition in order to perpetuate said subdivision as an architecturally harmonious, artistic and desirable district, and to continue to maintain and perpetuate the general plan as originally made effective upon the platting of said subdivision.

NOW, THEREFORE, in consideration of the premises, and in consideration of the benefits accruing to us jointly and severally and in consideration of the mutual promises of the undersigned to restrict all lots owned by each of us in said subdivision, and for the mutual benefit and protection of each and every person who is now or shall hereafter become the owner of any interest in and to any lot or part thereof in Philmar Place Addition and to include all lots or any part thereof now owned and held by the undersigned, we hereby agree among and between ourselves that the lot, lots or any part thereof owned by each of us in Philmar Place Addition, a subdivision of Washington Township, Lucas County, Ohio will henceforth be held, occupied and conveyed by us subject to certain restrictions set forth hereinafter, and the undersigned for ourselves, our heirs, legal representatives, successors and assigns specifically agree to include said restrictions in any and all instruments of conveyance affecting said premises, it being
hereby mutually agreed, that said restrictions shall run with
the land, and that the following restrictions are hereby
imposed upon the ownership, use, improvement and enjoyment
of any interest in and to all lots or parts thereof in said
Philmar Place Addition as a general plan, and shall be
binding upon all owners of any interest in and to said prop-
erty, their grantees, heirs, executors, administrators,
legal representatives, successors and/or assigns in the
manner following to wit:

(a) That until January 1, 1975, the premises herein
described, shall be used for residence purposes only and
prior to said date no building or structure of any kind
shall be erected or maintained on said premises other
than a single residence, of not more that one and one-
half (1 1/2) stories designed for the use of one (1) family
only, and attached private garages for the sole use of
the owner of said premises. Not more than one (1) such
residence shall be built upon any one (1) lot.

(b) That no building or any part thereof shall be
erected or maintained nearer any street than the build-
ing line marked and designated upon the record plat of
said Philmar Place, Washington Township, provided, how-
ever, that unenclosed porches may extend no more than
ten (10) feet beyond said building line. That in no
event shall a main foundation wall of any residence be
built nearer than ten (10%) per cent of the width of any
lot up to one hundred (100) feet, to any side line,
or any lot. On lots over one hundred (100) feet, in
width said foundation walls may not be built nearer than
ten (10) feet to any side line of any lots.

(c) That the minimum height of any building shall
be fifteen (15) feet to the main ridge, and the maxi-
mum height shall not exceed twenty (20) feet to the
main ridge, measurement to be taken from first floor
level.

(d) That the main roof of all buildings shall be
of gable or hip type.

(e) That the width of a single dwelling and attached
garages shall be less than that fifty-five (55) feet over
all.

(f) That no lot may be divided into parcels less
than the original width as designated on the plat, un-
less added to adjoining lots and upon which one dwell-
ing may be built.

(g) Fences not over forty-two (42) inches in height
of wood rail, picket, or rustic type may be erected on
the building line of said lots.

(h) That 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 spe-
cifications prepared by a competent architect, and built
by a competent builder, showing the nature, kind, shape,
height, materials, floor plans, color scheme, location,
and approximate cost 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
Louis R. Young, and a copy thereof as finally approved.
lodged permanently with the said Louis R. Young. The said Louis R. Young shall have the right to refuse to approve any such plans or specifications, or grading plans which are not suitable or desirable in his opinion for aesthetic or any other reasons; and in so passing upon such plans, specifications and grading plans he shall have the right to take into consideration suitability of the proposed building or other structure and of the materials of which it is to be built to the site which it is proposed to erect same, the harmony thereof with the effect of the building or other structure, as planned on the outlook from adjacent or neighboring property.

(i) No building, fence, hedge or other structure, grading or planting shall be constructed, erected, maintained, added to, changed or altered otherwise than strictly in accordance with the plan and specifications so approved in writing by Louis R. Young.

(ii) That there shall not be erected, permitted or maintained in Philmar Place, an addition of Washington Township, Lucas County, Ohio, any stable, cattle yard, hog pen, fowl yard or house, gear pool, privy vault or any form of privy except septic tank, nor shall any live poultry, hogs, cattle or other livestock, or any noxious, dangerous, offensive thing, whether of the character of these herein enumerated or not, be permitted or maintained thereon.

IN WITNESS WHEREOF, we the undersigned, as owners of the lots indicated opposite our names hereinbelow, have hereunto subscribed our names and executed this Declaration of Restrictions this 12th day of JULY, 1964, signed and acknowledged in the presence of:

[Signatures]

STATE OF OHIO
LUCAS COUNTY

BEFORE ME, a Notary Public in and for said County and State, personally appeared Wallsgre A. Ayling and Mary L. Ayling, grantees herein, acknowledge that they did sign the foregoing instrument, and that same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 14th day of JULY, 1964.

[Seal]

[Signature]

HAROLD E. MEHRING
Notary Public

RECEIVED and RECORDED at

JUL 30 1954
S. J. Culler

[Seal]