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DECLARATION OF RESTRICTIONS AS TO LAND LOCATED
IN THE SPALDING ADDITION IN THE CITY OF MAUMEE, OHIO

WHEREAS, David J. Spalding and Kathleen M. Spalding (husband and wife) herinafter referred to as the owners, hold title in fee simple to the following described parcels of land situated in the City of Maumee, Lucas County, Ohio, to wit:

Lots 7, 8, in the Spalding Addition, City of Maumee,
Lucas County, Ohio,

and said parcels will hereafter be referred to as the Spalding Addition.

WHEREAS, the owners, desire to establish restrictions upon the manner of use, improvement, and enjoyment of the above described lots in the Spalding Addition.

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 the Spalding Addition as an architectural, harmonious, artistic and desirable residential district, David J. Spalding and Kathleen M. Spalding, for themselves, their assigns, hereby declare and stipulate that the above described land is hereby restricted in accordance with the restrictions hereinafter set forth, and agree that each lot in the Spalding Addition shall hereafter be conveyed subject to these restrictions:

1. These covenants and restrictions are to run with the land and shall be binding on David J. Spalding and Kathleen M. Spalding and their successors 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 June 1st, 2004, at which time said covenants shall be automatically extended for successive periods of ten (10) years each unless the owners of the 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, and portions of the Spalding Addition shall be restricted to residence purposes only, and no building or structure of any kind shall be erected or maintained on the premises other than a single residence designed for the use of one family only, and a private garage for not more than two cars for the sole use of the occupier of said premises. Not more than one residence shall be built upon any lot.

3. The type of residential structure which shall be permitted shall be the conventional two story house, the story and a half house, the one floor "ranch type" house and the tri-level house. All structures shall have a minimum of 1800 square feet of usable floor space.

   The exterior construction of any and all buildings shall be brick, brick veneer, stone, wood, vinyl siding, or if another material it must be of a quality and make approved by the Property Committee. Stone veneer may be used only to enhance the frame or brick construction, and the amount and type used to be as determined by the Property Committee.

4. No part of the main foundation shall be placed nearer to the front line of a building site than the building line or lines shown on the plat; and all other construction on the property shall be in accordance with the City of Manatee Building Codes.

5. No so-called "ribbon driveway" shall be permitted, and all driveways shall be of solid concrete construction with a minimum of eight (8) feet in width.

6. No fence shall be more than three (3) feet six (6) inches in height, and no privacy fences shall be constructed. Nor shall any fence be erected or maintained closer to the street than the building line or lines set forth on the plat.

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 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 at least a majority of a Property Committee consisting of David J. Spalding and Kathleen M. Spalding or the survivors of them. In the event of the resignation, death or failure to act by any committee member, the remaining member or members shall have the power to appoint his successor. The above committee then shall serve until another committee is elected as herinafter 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 sole and exclusive opinion, for aesthetic or other reasons, and in so passing upon such plans, specifications and grading plans, the committee shall have the right to take into consideration all of the restrictions contained herein and further have the right to consider whether or not the external design, grading, and the location of the buildings conform and are harmonious with the existing buildings in said Plat and surrounding territory. In the event such committee shall fail to approve or disapprove such plans, specifications and grading plans within thirty (30) days after the same have been submitted to it, then such approval will not be required, provided however, the design of the structure, size, construction and its location on the building site conforms to and is in harmony with existing buildings in the Spalding Addition and the restrictions contained herein.

The members of the committee shall not be entitled to any compensation. After David J. Spalding and Kathleen M. Spalding, their successors or assigns, have sold seventy-five (75) per cent of the lots in the final Plat of the Spalding Addition, a committee shall be elected by the owners representing a majority of the front footage of the lots or building site in the whole or said Spalding Addition which shall then pass on these matters. This committee shall serve indefinitely and changes in its personnel may be made as provided for in the original committee set-up. Upon the election of this committee, a written instrument setting forth the
names and addresses of the person serving on such committee shall
be recorded in the Recorder's Office of Lucas County, Ohio.

8. The provisions of this declaration shall bind and inure to
the benefit of and be enforceable by David J. Spalding and Kathleen
M. Spalding, their successors, 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 and
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 of said parcels of land hereinbefore described as:

Lots 1 through 7 of the Spalding Addition, a Sub-
division in the City of Maumee, Lucas County, Ohio.

David J. Spalding and Kathleen M. Spalding, as owners, hereby
declare and establish the foregoing restrictions and covenants and
execute the same at Toledo, Ohio this 25 day of May,
1994.

WITNESSED:

[Signatures]

DAVID J. SPALDING

KATHLEEN M. SPALDING

This instrument was acknowledged before me by David J.
Spalding and Kathleen M. Spalding and signed in my presence this
23rd day of May, 1994.

[Notary Public]

This instrument was prepared by:
Charles D. Cobau, Jr.
Attorney at Law
108 1/2 W. Third Street
Perrysburg, Ohio 43551

RECEIVED & RECORDED

MAY 26 1994

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RECORDER/LUCAS COUNTY, OHIO

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