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DECLARATION OF RESTRICTIONS

PART A: PREAMBLE

WHEREAS, SYLVAN WOODS, INC., hereinafter referred to as the Owner, owns in fee simple a subdivision known as SYLVAN WOOD PLAT 2, described as follows, to-wit:

Lots numbered forty-seven (47) to ninety-eight (98) inclusive, and Lots "p" and "q" in SYLVAN WOOD PLAT 2, a Subdivision in Sylvania Township, Lucas County, Ohio

and recorded in Volume 65 Record of Plats, page 8 on the records of the Recorder of Lucas County, Ohio; and,

WHEREAS, the said Owner desires to make known the restrictions, conditions, covenants and agreements subject to which all of the said property hereinbefore described is now owned by it, and subject to which the lots aforesaid are to be conveyed by it.

NOW, THEREFORE, the restrictions hereinafter contained are hereby adopted pursuant to a general plan for the better and uniform improvement and development of SYLVAN WOOD PLAT 2, and for the benefit of all persons who may hereafter become owners of lots therein. In consideration of the mutual execution hereof, and the enhancement of value of said property, due and ample protection in the uses and occupancies thereof for the purpose for which it is designed, the said Owner hereby declares that said real estate is held by it, and shall be conveyed by it, subject to all the restrictions, conditions, covenants and agreements hereinafter set forth.

PART B: AREA OF APPLICATION

B-1. The Owner reserves for itself, its successors and assigns, the right to use and permit the use of a strip of land five (5) feet in width, along the rear of each lot for the construction and maintenance of public or quasi-public utilities or functions.

B-2. Lot "p" is dedicated to public use as soon as Fairwood Drive is extended north its full width.

B-3. Lot "q" is dedicated to public use when Aftwood Drive is extended east its full width.

B-4. The 30' x 20' part of Lot "r" taken from the northeast corner of Lot number seventy-four (74) will revert back to Lot Number 74 when Fairwood Drive is extended northward toward Sylvania Avenue.

The 100' x 20' part of Lot "r" taken from the front of Lot number seventy-three (73) will revert back to Lot number seventy-three (73) when Fairwood Drive is extended northward toward Sylvania Avenue.
PART C: RESIDENTIAL COVENANTS

G-1. Land Use and Building Type. All lots shall be restricted to use as follows:

  Single family two-story residences, overall height from first floor line to high point of roof ridge shall not exceed twenty-three (23) feet.

  Single family story and one-half ranch type residences with overall height from first floor line to high point of ridge not to exceed twenty-three (23) feet or less than twenty-one (21) feet.

  Split-level single family residences, overall height from first floor line to high point of roof ridge not to exceed twenty-three (23) feet.

  Variations of the above distances from first floor line to high point of roof ridge will be permissible if approved by the "Architectural Control Committee." The distances noted above are intended as guide lines.

G-2. Site Grading. For all types of residences, the finish grade to the first floor line (measured at the front entrance) shall not exceed twenty-one (21) inches. This grade will be established by the Architectural Control Committee and shall be maintained across the entire front of the residence except at the garage, where the grade will be lower as required.

  Surface water from the front of the residence shall flow to the curb. For the sides and from the rear of the structure, it shall flow to the rear of the lot.

  A requirement of the County Engineer sets up certain grading to provide for removal of storm or surface water for Lots numbered fifty (50), fifty-one (51), fifty-two (52), fifty-three (53), fifty-four (54), fifty-five (55), fifty-six (56), fifty-seven (57), fifty-eight (58) and fifty-nine (59). This is incorporated in the "Storm Water Drainage System." Under no circumstances may the grades at the rear of these lots be altered, when such alteration will in any way restrict the flow of storm water to the outlets, namely, the catch basin located between lots numbered fifty-five (55) and fifty-six (56). All lots will slope from the rear of the residence to the rear of the lot where the surface water will flow toward "Schlichter Ditch." No one will be permitted to grade the rear ten (10) feet or more in a manner which will obstruct this southward flow.

G-3. The garage, not more than two-car capacity, must be attached for any of the above optional building types.

G-4. Architectural Control. No building shall be erected or allowed on any lot until the construction plans and a plan showing the location of the structure on the lot have been approved by the Architectural Control Committee. The judgment shall be as to the materials employed, the architectural design and the harmony of the design with existing structures.

G-5. Dwelling Cost, Quality and Size. No dwelling shall be permitted on a lot at a cost of less than $35,000.00 based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenant to assure that all dwellings shall be of a quality of workmanship and materials substantially the same and
better than that produced on the date these covenants are recorded at the
minimum cost herein stated for the minimum permitted dwelling size. The
ground floor area of the area of the one-story dwellings and the total
living area of the split-level and tri-level dwellings, exclusive of
one-story open porches and garages, shall be not less than 1500 square
feet for each single dwelling.

C-6. Building Location. No building shall be located on any
lot nearer to the front lot line or nearer to the side street line than the
minimum building setback lines shown on the recorded plat or as required by
City Building Restrictions or zoning requirements. Side and rear yards,
except for Lots numbered sixty-two (62), sixty-three (63), sixty-five (65),
sixty-six (66), sixty-eight (68), fifty-nine (59), sixty-nine (69), sixty
(60), sixty-one (61), eighty-three (83), eighty-four (84), eighty-six
(86), eighty-seven (87) and eighty-eight (88) shall be as required by
zoning requirements for Sylvania Township.

For corner lots numbered sixty-two (62) and eighty-three
(83), the side yard shall be that area between the house and the side
lot lines of Lot numbered eighty-two (82).

The rear yard for lot numbered sixty-two (62) will be
that area between the house and common lot line of lot numbered sixty-
three (63). The rear yard for lot numbered eighty-three (83) will be
that area between the house and common lot line of lot numbered eighty-
one (81).

For corner lot numbered eighty-eight (88), the side yard
shall be that area between the house and common lot line of lot numbered
eighty-nine (89). The rear yard shall be that area between the house and
the easterly property line of the subdivision.

For lots numbered sixty-three (63), sixty-five (65), sixty-
six (66), sixty-eight (68) and sixty-nine (69), no residence shall be
located nearer than ten per cent (10%) of lot width to any interior lot
line.

No dwelling shall be located on any interior lot nearer
than thirty-five (35) feet to the rear lot line except for lots numbered
fifty-nine (59), sixty (60), sixty-one (61), eighty-four (84), eighty-five
(85), eighty-six (86) and eighty-seven (87) where they shall be not
nearer than fifty (50) feet from rear property lot line.

C-7. Nuisances. No noxious or offensive activity shall be
carried on upon any lot nor shall anything be done thereon which may be or
may become an annoyance or nuisance to the neighborhood.

Storage of trucks, mobile house trailers, boats or other
equipment shall not be permitted except within the confines of the garage.
Travel trailers or boats may be stored at the rear of the premises, if
approved by the Architectural Control Committee and if property screened
by landscaping.

C-8. Separate Buildings. No separate buildings will be permitted,
on any lot.

C-9. Underground Telephone and Electric Services. All telephone
and electric services from utility poles to residences shall be underground.

C-10. Fences. No fence shall be constructed beyond the front
(or side at corner lots) set back lines. No barbed wire may be utilized
as a part of any fencing.
C-11. Temporary Structures. No temporary structures of any kind will be approved by the Architectural Control Committee; accordingly, no such structure can be built on any lot.

C-12. Completion of Structures. Any residence, either one- or two-family, must be substantially completed within eight (8) months from the date of building permit or the starting of work at the site.

C-13. Sidewalks. The builder will be responsible for the installation of four-foot wide street sidewalks at street.

PART D: ARCHITECTURAL CONTROL COMMITTEE

D-1. Membership. The Architectural Control Committee is composed of E. FOREST RUIHLEY, 3443 Woodley Court, Toledo, Ohio 43606; MORTON NEIPP, 3955 Hillandale Road, Toledo, Ohio 43606; and PAUL WINGART, 3426 Orchard Trail Drive, Toledo, Ohio 43606. A majority of the committee may designate a representative to act for it. In the event of death or resignation of any member of the committee, the remaining members shall have full authority to designate a successor. Neither the members of the committee, nor its designated representative, shall be entitled to any compensation for services performed pursuant to this covenant. The Architectural Control Committee shall have the authority to interpret these restrictions in the event some question shall arise as to a possible contradiction or lack of clarity. The Architectural Control Committee, as designated above, shall continue to serve until all of the lots of this subdivision have been sold or built upon, unless the above Committee shall elect to pass control to a group of lot owners, agreeable to a majority of the owners.

D-2. Procedure. The committee's approval or disapproval as required in these covenants shall be in writing. In the event that the committee or its designated representative fails to approve or disapprove within thirty (30) days after the plans and specifications have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been duly complied with.

PART E: GENERAL PROVISIONS

E-1. Term. The said covenants are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 1996, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners of the lots have been recorded, agreeing to change said covenants in whole or in part.

PART F: ATTEST

F-1. In Consideration Whereof, the said SYLVAN WOODS, INC., Owner, has caused its corporate name to be subscribed to these presents by PAUL WINGART, its President, and E. FOREST RUIHLEY, its Secretary-Treasurer, this 20th day of November, A.D. 1970.

SYLVAN WOODS, INC.
By Paul Wingart, President
By E. Forest Ruihley, Sec-Treas.

Two witnesses.
Acknowledged November 20, 1970 by said Company, by said Officers, and by authority of its Board of Directors, before a Notary Public, Lucas County, Ohio, (seal).

Received for record December 10, 1970 and recorded in Volume 2335 of Mortgages, page 1005.