TERRYWOOD ADDITION

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DECLARATION OF RESTRICTIONS
AS TO
TERRYWOOD ADDITION

WHEREAS, Frank L. Storer, Jr. and Gertrude M. Storer his wife (hereinafter called Owners) are the owners of the following described real estate:

Lots 1 to 6 inclusive in Terrywood Addition, a Subdivision formerly in Washington Township, now in the City of Toledo, Lucas County, Ohio, the plat of which is recorded in Volume 58 Record of Plats, page 9, Lucas County, Ohio Records; and,

WHEREAS, said Owners desire to make known the restrictions, covenants and agreements subject to which said lots shall be henceforward held by them and conveyed by them.

NOW, THEREFORE, in consideration of the premises and of the resulting enhancement in the value of said property, and the benefits which will accrue to said Owners and all future owners of said lots; and to provide a general plan for the development of said Subdivision designed to make the same more attractive for residential purposes, the Owners, for themselves, their heirs and assigns, hereby declare that each said lot shall be hereafter conveyed by them, their heirs and assigns, and each grantee by the acceptance of a conveyance shall be, take and hold subject to the following restrictions, which shall run with the land and be binding on said Owners and all parties claiming under or though said Owners until December 31, 1980, unless and except the title holders of the majority of the lots shall duly execute an instrument in writing to amend, add to or terminate these restrictions in whole or in part effective upon the recording of such instrument to amend or terminate
in the office of the Lucas County, Ohio Recorder; and from and after December 31, 1980 the same (or the amended restrictions then in force) shall be automatically extended for successive periods of 10 years each and be similarly subject to amendment, addition or termination:

1. All lots shall be used exclusively for residential purposes. Not more than one residence structure shall be built upon any one lot, and same shall be for occupancy of not more than two families.

2. Single family residences shall have not less than 900 square feet of living space (and two family residences not less than a combined total of 1250 square feet of living space) exclusive of utility room, attic, unenclosed porch and garage space. However, no structure, building, fence, wall, hedge or sign, of any kind, shall be erected (or the exterior altered, remodelled or added to), or maintained on any lot, unless first there shall have been submitted to Owners detailed plans and specifications showing the nature, kind, shape, type, material, color scheme, location and grade of the same, together with the final grade of lawn and garden areas, and the written approval of Owners has been duly endorsed thereon, and the same is constructed exactly in accordance with such plans and specifications, and within one year after construction is begun. Such approval shall be granted or refused in the exercise of reasonable discretion, and not in an arbitrary or capricious manner. If both Owners be deceased, or if neither owns property in or adjacent to said Terrywood Addition, such approval shall be granted or refused, by the title holders of a majority of the lots in said Addition.

3. No industry, business, trade, occupation, or profession shall be operated, conducted or carried on; no animals, poultry or livestock, nor more than two dogs or cats per residence unit, shall be kept; no
drying or airing of clothes, sheets, laundry or blankets shall be done except directly in the rear of the house; no parking or standing of boats, trucks or trailers except inside a fully enclosed and closed garage, shall be permitted upon any lot. Grounds and exterior premises shall be kept and maintained in a clean, neat, orderly, rubbish-free and litter-free condition at all times.

4. Owners reserve the right to grant perpetual easements over the five feet of all lots designated "5' R/W" on said recorded Plat for the installation and maintenance of sewers and/or public utility services of any and all kinds. This reservation and all easements granted pursuant thereto shall not be subject to limitation by amendment nor to termination hereunder. No buildings or other structures shall be erected upon said five feet.

5. No part of a dwelling or garage shall be nearer to the street than the building line shown upon the said recorded Plat, except such unenclosed and unscreened entrance porches as may be approved under section 2; and the front line of the main structure shall conform to said building line. Front entrance of a 2-family shall appear to be a 1-family.

6. No restrictions imposed herein shall be nullified or waived by an failure to enforce the same, no matter how many violations or breaches may have occurred; and no estoppel shall arise by reason of such failures to enforce.

7. The invalidity of any restriction or provision shall not impair or affect in any manner the validity, enforceability or effect of the rest of this Declaration; and each restriction, provision and part thereof shall be deemed separable in that regard.
8. This Declaration shall inure to the benefit of, be enforceable by, and be binding upon Owners, their heirs and assigns, and all subsequent title holders of lots in said Subdivision.

Executed this 31st day of January, 1961.

Signed: Frank L. Storer, Jr.
Gertrude M. Storer, Owners.

Two witnesses.

Acknowledged January 31, 1961 before a Notary Public, Lucas County, Ohio (Seal).

Received for record February 10, 1961 at 3:09 P.M., and recorded in Volume 1999 of Mortgages, page 274.
By Instrument dated April 9, 1962, and signed by all the owners in Terrywood Addition, paragraph 5 of the restrictions set forth at No.3 above, Volume 1999 of Mortgages, page 274, was amended to read as follows:

"5. No part of a dwelling or garage shall be nearer the street than the building line shown upon the said recorded Plat except as to Lot number 5, no part of a dwelling or garage shall be nearer the street than 59 feet from the front of said lot, and as to all of said lots, except such unenclosed and unscreened entrance porches as may be approved under Section 2. As to said lot number 5 the building line shall be, and hereby is amended from the said recorded Plat to be 59 feet from the front of said lot lines. Front entrance of a 2 family shall appear to be a 1 family.

Received for record April 19, 1962 at 9:38 A.M., and recorded in Volume 2040 of Mortgages, page 725."