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
AS TO LAND LOCATED IN TRAIL ACRES, PLAT NO. 4.

WHEREAS, Harry M. Smith, hereinafter referred to as the Owner, holds title in fee simple to the following described parcels of land, situated in Washington Township, Lucas County, Ohio, to-wit:

Lots Numbered fifty-eight to sixty-nine (58 to 69), both inclusive, in Trail Acres, Plat 4, an addition in Washington Township, Lucas County, Ohio;

and said parcels will hereafter be referred to as Trail Acres, Plat No. 4.

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 Trail Acres Plat No. 4, as an architectural, harmonious, artistic and desirable residential district, Harry M. Smith, for himself, his heirs and assigns, hereby declares and stipulates that the above described land is hereby restricted in accordance with the restrictions hereinafter set forth, and agrees that each lot in Trail Acres Plat No. 4 shall hereafter be conveyed by him, his heirs and assigns, subject to these restrictions:

1. These covenants and restrictions are to run with the land and shall be binding on Harry M. Smith, his heirs 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 January 1, 1975, at which time said conveyance shall be automatically extended for successive periods of ten (10) years each unless the owners of a 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, subdivisions of lots, and portions of Trail Acres Plat No. 4 shall be restricted to residence purposes only, and no building or structure of any kind shall be erected or maintained in the premises other than a single residence designed for the use of one family only, with attached private garage for the sole use of the occupier of said premises. Not more than one residence shall be built upon any building site which must have at least one hundred (100) feet frontage on a street.

3. No noxious or offensive trade or activity shall be carried on in Trail Acres Plat No. 4 nor shall anything be permitted therein which may be or become an annoyance or nuisance. No part of said tract shall be used or occupied for the following purposes: dog, cat or animal hospital, kennel or house, stables, cattle yard, hog pen, fowl yard or house or keeping of any animal, fowl or bird which may cause a nuisance; nor storage of trailers, automobiles, scrap iron, wood, building materials, paper, glass, junk or any reclaimed products; nor shall said premises be used for any business or criminal purposes whatsoever; nor shall it be used for any mercantile or manufacturing establishment, storage, boarding house, rooming house, hotel, inn, restaurant, tavern, public or private hospital or infirmary. The failure to designate additional restrictions on the use of the property shall
not permit any other use except the intended purpose of the premises for single residential purposes. Only one (1) house dog and one (1) house cat may be kept on any one building site.

4. No trailer, basement, tent, shack, garage, barn, housecar or other temporary shelter shall be erected, maintained or used as a residence, temporarily or permanently on said tract. No building erected on said tract shall be used as a residence until the exterior has been completed as specified and called for in the plans and specifications, thereof.

5. The kind of residential structure that shall be permitted is the type of residence known as "ranch type" or "Rambling bungalow" with a minimum height of fifteen (15) feet and a maximum height of eighteen (18) feet to the peak of the house from the finished floor line; the roof must be gable or hipped; the floor area of the structure shall contain a minimum of twelve hundred (1200) square feet for the foundation, not including breezeway area or garage; and the exterior construction shall be limited to brick, brick veneer, stone, stone veneer or frame.

6. No foundation shall be placed nearer than forty (40) feet from the front line of a building site which coincides with the building lines on said plat; no foundation shall be nearer the side line of any building site than ten (10) percent (%) of the width of the building site; no porch shall project forward from the foundation in any manner so as to be closer than thirty-five (35) feet from the front property line.

7. No fence shall be higher than three feet six inches and shall not be placed closer to the street than the building line set forth on the plat.
8. 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 Harry M. Smith, John I. Price & Louis Lewandowski, or the survivors of them. In the event of the resignation, death or failure to act by any committee member, the remaining members shall have the power to appoint a member to succeed to any of the above. The above committee then shall serve until another committee is selected as hereinafter 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 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 shall further have the right to consider whether or not the external design, grading and the location of the buildings conform to and are harmonious with the existing buildings in said Trail Acres Plat No. 4 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 of the building site conforms to and is in harmony with existing buildings in Trail Acres Plat No. 4 and restrictions contained herein. The members of the committee shall not be entitled to any compensation. After Harry M. Smith, his heirs or assigns, has sold seventy-five (75) per cent of the lots in Trail Acres Plat No. 4, or these restrictions have been in existence for five (5) years, a committee shall be elected by the owners representing a majority of the front footage of the lots or building sites in Trail Acres Plat No. 4, 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 persons serving on such committee shall be recorded in the Recorder's Office of Lucas County, Ohio.

9. The provisions of this declaration shall bind and inure to the benefit of and be enforceable by Harry M. Smith, his heirs, 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 or other appropriate legal remedy.

10. Invalidation of any one or any part thereof, of the foregoing covenants or restrictions by a judgment or court order shall in nowise affect any of the others, which shall remain in full force and effect.

In consideration of the premises and of the enhancement in value to said parcels of land hereinbefore described as - Lots
Numbered Fifty-eight to Sixty-nine (58 to 69), both inclusive, in Trail Acres, Plat 4, an addition in Washington Township, Lucas County, Ohio, Harry M. Smith, as Owner, and Maude Smith, wife of said Harry M. Smith, do hereby declare and establish the foregoing restrictions and covenants and execute the same at Toledo, Ohio, this 27th day of April, 1953.

Two witnesses. (Signed) Harry M. Smith
Maude Smith

Acknowledged April 27, 1953 in Lucas County, Ohio, before a Notary Public, State of Ohio (seal).

Received for record April 29, 1953 and recorded in Volume 1615 of Mortgages, page 547.
Names and addresses of Committee elected pursuant to Declaration of Restrictions as to land located in TRAIL ACRES, Plat No. 4 a Subdivision in Washington Township, Lucas County, Ohio:

WHEREAS, a Declaration of Restrictions as to Lots numbers 58 to 69 inclusive, in TRAIL ACRES PLAT NO. 4, a Subdivision in WASHINGTON TOWNSHIP, LUCAS COUNTY, OHIO, were established by Harry M. Smith, as owner, and Maude Smith, his wife, all as set forth in instrument entitled Declaration of Restrictions as to land located in Trail Acres, Plat No. 4, and recorded in Lucas County Record of Mortgages, Volume 1615, page 547 and

WHEREAS, pursuant to the provisions of said Declaration of Restrictions, a Committee has been elected by the owners representing a majority of the frontage of the lots or building sites in said Trail Acres, Plat No. 4, and further, pursuant to said Declaration of Restrictions, notice is hereby given that the names and addresses of the Property Committee are as follows:

A.C. Hazelwood, Chairman
3303 Hargo Rd., in Trail Acres Plat No. 4, a Subdivision in Toledo, Ohio Washington Township, Lucas County

F.A. Edgington,
3316 Hargo Rd., in Trail Acres Plat No. 4, a Subdivision in Toledo, Ohio Washington Township, Lucas County

A.G. Spieker, Jr., Secretary
3225 Hargo Rd., in Trail Acres Plat No. 4, a Subdivision in Toledo, Ohio Washington Township, Lucas County

(Signed) A.C. Hazelwood
F.A. Edgington
A.G. Spieker, Jr.

N.P & Seal.

NOTE: The above instrument was dated August 13, 1954, filed for record August 13, 1954 at 12:01 P.M. and recorded in Volume 1683 of Mortgages, page 146.
By Instrument dated _____, pursuant to Declaration of Restrictions as to Land located in Trail Acres, Plat 4, recorded in Volume 1015 of Mortgages, page 547, notice is hereby given that a Committee has been elected by the owners representing a majority of the front footage of the lots in said Trail Acres, Plat 4 and that the names and addresses of the Property Committee are as follows:

F. A. Edgington, Chairman 3316 Hargo Road, Toledo, Ohio
Walter Johnson 3317 Hargo Road, Toledo, Ohio
Jerry A. Mulinex, Secretary 3215 Hargo Road, Toledo, Ohio

Received for record May 9, 1972 and recorded in Volume 2484 of Mortgages, page 161.