# VALLEY BROOK PLAT 2

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DECLARATION OF RESTRICTIONS AND RESERVATIONS
FOR VALLEY BROOK ADDITION PLAT TWO

WHEREAS, Clarence Wasmundt and Harold Flesh, hereinafter referred to as the Owners, hold title in fee simple to the following real estate situated in Adams Township, Lucas County, Ohio, to-wit:

Lots numbered sixteen (16) to thirty-eight (38), both inclusive, Plat Two (2), a Subdivision in Adams Township, Lucas County, Ohio, and said lots are hereinafter referred to as VALLEY BROOK ADDITION PLAT TWO (2), and

WHEREAS, Roger E. Corey and Esa E. Corey, partners, doing business as Corey Brothers, Builders did in December of 1954 purchase option rights to purchase certain lots or combination thereof in the said Valley Brook Addition Plat Two (2), and hence have an interest in said property, and

WHEREAS, the said Owners desire to make known the restrictions and reservations in regard to the above lots and subject to which the above lots are to be conveyed.

NOW, THEREFORE, the restrictions and reservations hereinafter contained are hereby adopted pursuant to a general plan for the better and uniform improvement and development of Valley Brook Addition Plat Two (2), and for the benefit and protection of all persons who may hereafter become owners of lots therein.

In consideration thereof and of the enhancement of value of said property to the Owners thereof, and to afford purchasers of all of said property due and ample protection in the uses and occupancies thereof for the purposes for which it is designed the said Owners, "Wasmundt and Flesh" hereby declare that said lots shall be conveyed by them subject to all of the restrictions and reservations hereinafter set forth.

1. We hereby reserve for ourselves, our heirs and assigns, the right to use and permit the use of a strip of land five (5) feet in width along the east most boundry of lots numbers sixteen (16) to twenty-five (25), both inclusive, and along the north most

boundry of lots numbers twenty-six (26) to twenty-eight (28) both inclusive; and along the west most boundry of lots numbers twenty-nine (29) to thirty-eight (38) both inclusive, as shown in the plat for Valley Brook Addition Plat Two (2) recorded in Volume 52 of Plats, pages 49 and 50, Lucas County, Ohio, for the construction and maintenance of public or quasi-public utilities or functions.

2. Further, we reserve the buffer lots "A" and "B" as shown in the above referred to plat, which lots are dedicated for public use conditionally until parts of the adjoining land are dedicated for the purpose of extending the said ways of Macklyn Drive and Granston Drive for public use.

3. Said lots or combination thereof shall be used exclusively for residence purposes. Only 1 residence for occupancy by only 1 family shall be erected or suffered to remain on any 1 lot or combination thereof. There are designated building lines on the lots as shown in the above referred to recorded plat and no building or any part thereof shall be erected or suffered to remain closer to any street than the building line so marked and designated. However, this restriction shall not apply to nor include porches, verandas, awnings or other similar projections of said residence; except that any of said projections shall not be erected or suffered to remain beyond the building line hereinbefore established, without the written consent of the Owners or their nominees.

4. A minimum free space or ten per cent of each residence width shall be uniformly maintained from each side line.

5. No detached garage shall be erected or suffered to remain on any lot or combination thereof.

6. No fence or wall of any kind, or for any purpose, shall be erected or suffered to remain on any lot or combination thereof, without the written consent of the Owners or their nominees.

7. No portion of said lots or combination thereof within the frontage and side area as designated by the building lines shall be used for any purpose other than that of a lawn; provided, however, this restriction shall not be construed to prohibit walks, driveways,

trees, shrubbery, ornamental plants, flowers, statuary, fountains and similar ornamentations. but no vegetables or grain shall be grown or suffered to remain thereon. No weeds, underbrush or unsightly objects of any kind shall be placed or suffered to remain on any part of said lots or combination thereof.

8. No ranch type residence or any similar one floor residence shall be erected or suffered to remain on any lot or combination thereof having less than fourteen _____ (1400) square feet of floor space, all of the foregoing being exclusive of basement area, porch area and attached garage area.

9. No split level residence or any similar type residence shall be erected or suffer to remain on any lot or combination thereof having less than fourteen hundred (1400) square feet of floor space, all of the foregoing being exclusive of basement area, porch area and attached garage area.

10. No story and a half residence or any similar type residence shall be erected or suffered to remain on any lot or combination thereof having less than 1100 square feet of floor space, all of the foregoing being exclusive of basement area, porch area, second floor area and attached garage area.

11. No two story or any similar type residence shall be erected or suffered to remain on any lot or combination thereof.

12. No barn, stable, out building of any kind or description, billboard, sign or advertising device of any kind other than a "For Sale" sign shall be erected or suffered to remain on any lot or combination thereof.

13. No said residence, garage or other structure shall be erected or suffered to remain on said lots or combination thereof unless and until the plans and specifications therefor shall have been approved, in writing, by the Owners thereof, i.e. "Wasmundt and Flesh", or their nominees.

14. No fowl or livestock of any kind, shall be kept or harbored on said lots or combination thereof.

15. Said lots or combination thereof shall not be used

for any purpose or in any way which may endanger the health or unreasonably disturb the quiet of any occupant of adjacent or neighboring lots of combination thereof.

All the restrictions and reservations herein contained shall be construed together, but if it shall be held that any restriction, or any part of any restriction or reservation, or any part of any reservation is invalid, or unenforceable for any reason whatsoever, no remaining restriction or restrictions, reservation, or reservations or any part thereof, shall be effected or impaired.

The aforesaid restrictions and reservations shall be in full force and effect until the 1st day of 1990 at which time said restrictions and reservations shall be automatically extended for successive periods of 10 years unless by a vote of a majority of the then Owners of the lots it is agreed to change said restrictions and/or reservations in whole or in part.

Duly executed by Clarence Wasmundt, Harold Flesh, Ruby S. Wasmundt, Ruth S. Flesh.

Received for record January 26, 1956 and recorded in Volume 1774 of Mortgages, page 129.