

# ***BROOKSTONE ESTATES I COVENANTS***

## **RESTRICTIVE COVENANTS**

*THE DESCRIBED ADDITION SHALL BE SUBJECT TO AND MUST MEET THE FOLLOWING RESTRICTIONS, CONDITIONS AND PROTECTIVE COVENANTS WHICH SHALL RUN WITH THE LAND AND REMAIN BINDING ON ALL PARTIES AND PERSONS CLAIMING UNDER THEM UNTIL THE OWNERS OF A MAJORITY OF LOTS OF THIS SUBDIVISION REQUEST A CHANGE. ALL CHANGES, ADDITIONS TO, OR DELETIONS FROM THE COVENANTS SHALL BE SUBMITTED TO THE JASPER PLAN COMMISSION FOR APPROVAL OR DISAPPROVAL.*

*SHOULD ANY PARTY HERETO, THEIR HEIRS OR ASSIGNS VIOLATE OR ATTEMPT TO VIOLATE ANY RESTRICTION, CONDITION OR PROTECTIVE COVENANT HEREIN, IT SHALL BE LAWFUL FOR ANY PERSON OR PERSONS HOLDING ANY INTEREST IN ANY LOT THEREOF TO PROSECUTE ANY PROCEEDINGS AT LAW OR IN EQUITY AGAINST SAID PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE SAID RESTRICTION, CONDITION OR PROTECTIVE COVENANT, EITHER TO PREVENT SAID PERSON OR PERSONS FROM SO DOING OR TO RECOVER DAMAGES OR OTHER DUES FOR SUCH VIOLATIONS.*

*INVALIDATION OF ANY OF THE RESTRICTIONS, CONDITIONS OR PROTECTIVE COVENANTS BY JUDGMENT OR ORDER OF COURT SHALL IN NO WAY AFFECT ANY OTHER PROVISION THEREOF, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.*

*SAID RESTRICTIONS, CONDITIONS AND PROTECTIVE COVENANTS, BEING A PART OF SAID PLAT, ARE AS FOLLOWS:*

- 1. NO MORE THAN ONE DWELLING WILL BE BUILT ON ANY PLATTED LOT.*
- 2. NO ONE-STORY DWELLING SHALL BE PERMITTED ON ANY LOT WITH A GROUND FLOOR LESS THAN ONE THOUSAND FIVE HUNDRED (1500) SQUARE FEET EXCLUSIVE OF OPEN PORCHES, PATIOS, BALCONIES, CARPORTS, GARAGES AND BASEMENTS. NO TWO-STORY DWELLING SHALL BE PERMITTED ON ANY LOT WITH A GROUND FLOOR LESS THAN ONE THOUSAND (1000) SQUARE FEET AND TOTAL LIVING AREA OF LESS THAN ONE THOUSAND SEVEN HUNDRED (1700) SQUARE FEET EXCLUSIVE OF OPEN PORCHES, PATIOS, BALCONIES, CARPORTS, GARAGES AND BASEMENTS.*
- 3. ALL RESIDENTIAL STRUCTURES BUILT IN THIS SUBDIVISION SHALL HAVE A TOTAL EXTERIOR CONSTRUCTION OF AT LEAST 75% BRICK AND/OR STONE MASONRY AND/OR SOME COMBINATION OF BRICK AND/OR STONE MASONRY, PROVIDED HOWEVER, THAT WITH RESPECT TO ORIGINAL CONSTRUCTION, A RESIDENTIAL STRUCTURE MAY BE FACED WITH OTHER SUITABLE MATERIALS WHICH CONFORM TO THE QUALITY APPEARANCE OF HOMES IN THE AREA, PROVIDED ADVANCE WRITTEN CONSENT THERETO IS OBTAINED FROM THE DEVELOPER.*

4. *NO TENT, SHACK, GARAGE, BARN, TRAILER OR OTHER OUTBUILDING ERECTED OR PLACED ON ANY LOT SHALL AT ANY TIME BE USED FOR RESIDENTIAL PURPOSES.*
5. *NO FENCE, WALL, HEDGE, TREE, SHRUB OR OTHER PLANTING WHICH CREATES A SAFETY HAZARD BY OBSTRUCTING THE VIEW OF TRAFFIC SHALL BE PERMITTED BETWEEN THE BUILDING SETBACK LINES AND STREET CURBS.*
6. *NO CHAIN-LINK FENCE SHALL BE CONSTRUCTED ON ANY LOT.*
7. *NO VEHICLES SHALL BE PARKED REGULARLY OR HABITUALLY ON ANY STREET AND THE OWNER OF EVERY LOT SHALL PROVIDE ADEQUATE OFF-STREET PARKING FACILITIES FOR THE VEHICLES OF ALL OCCUPANTS OF EACH RESIDENCE, BUT NO LESS THAN 2 PARKING SPACES FOR STANDARD SIZED AUTOMOBILES.*
8. *NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED ON UPON ANY LOT NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR BECOME A NUISANCE OR ANNOYANCE TO THE NEIGHBORHOOD.*
9. *ALL STRUCTURES ERECTED OR PLACED IN THE ADDITION SHALL AT ALL TIMES COMPLY WITH ALL LAWS, ORDINANCES AND REGULATIONS OF THE CITY OF JASPER, INDIANA.*
10. *LOT OWNERS SHALL BE RESPONSIBLE FOR MOWING, TRIMMING, AND CLEANING OF ALL PUBLIC UTILITY AND DRAINAGE EASEMENTS, SWALES OR DITCHES, AND RETENTION AREAS RESERVED FOR STORM WATER DRAINAGE WHICH IS LOCATED ON THEIR PROPERTY. ALSO LOT OWNERS SHALL TAKE STEPS TO PREVENT EROSION OF THE SOIL OF HIS LOT OR LOTS. ALL SWALES FOR SURFACE WATER DRAINAGE LOCATED ALONG SIDE AND REAR LOT LINES SHALL BE PRESERVED AND NOT OBSTRUCTED.*
11. *ALL LOT OWNERS WILL BE REQUIRED TO SUPPLY A SUITABLE CONSTRUCTION ENTRANCE AND STORAGE AREA A MINIMUM OF 10 FEET IN WIDTH AND 30 FEET IN DEPTH WITH A MINIMUM OF 6" OF CRUSHED STONE BASE AS A MEANS OF INGRESS AND EGRESS TO THEIR HOME CONSTRUCTION SITE. THIS ENTRANCE WILL BE MAINTAINED AND KEPT CLEAN AT SAID OWNERS EXPENSE TO REDUCE THE MUD AND SEDIMENT TRACKED ONTO STREETS IN AND AROUND THIS SUBDIVISION. ALL LOT OWNERS MUST TAKE STEPS TO PREVENT EROSION OF SOIL FROM HIS LOT OR LOTS IN COMPLIANCE WITH "RULE 5" (327 IAC 15-5).*

*THE RIGHT TO ENFORCE THESE PROVISIONS BY INJUNCTION, TOGETHER WITH THE RIGHT TO CAUSE THE REMOVAL, BY DUE PROCESS OF LAW, OF ANY STRUCTURE OR PART THEREOF ERECTED OR MAINTAINED IN VIOLATION THEREOF, IS HEREBY DEDICATED TO THE PUBLIC, AND RESERVED TO THE SEVERAL OWNERS OF THE SEVERAL LOTS IN THIS SUBDIVISION AND TO THEIR HEIRS AND ASSIGNS.*

## ***BROOKSTONE ESTATES II***

### **RESTRICTIVE COVENANTS**

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- 3. ALL RESIDENTIAL STRUCTURES BUILT IN THIS SUBDIVISION SHALL HAVE A TOTAL EXTERIOR CONSTRUCTION OF AT LEAST 75% BRICK AND/OR STONE MASONRY AND/OR SOME COMBINATION OF BRICK AND/OR STONE MASONRY, PROVIDED HOWEVER, THAT WITH RESPECT TO ORIGINAL CONSTRUCTION, A RESIDENTIAL STRUCTURE MAY BE FACED WITH OTHER SUITABLE MATERIALS WHICH CONFORM TO THE QUALITY APPEARANCE OF HOMES IN THE AREA, PROVIDED ADVANCE WRITTEN CONSENT THERETO IS OBTAINED FROM THE DEVELOPER.*

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# ***BROOKSTONE ESTATES III***

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