

Brookstone V - 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 (one vote per lot) agree to an amendment in writing. Such amendment does not become effective until it is recorded with the recorder of Dubois County.

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 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 judgments order of court shall in no way affect any other provisions thereof, which shall remain in full force and effect.

1. No one-story dwelling shall be permitted on any lot with a ground floor of 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 space of less than one thousand (1000) square feet and a total living area of less than one thousand seven hundred (1700) square feet, exclusive of open porches, patios, balconies, carports, garages and basements.
2. No residential lot shall be subdivided by the owner or owners for the purpose of creating two (2) or more residential lots.
3. No building or accessory building shall be located on any lot nearer to the lot line than the minimum building setback line as required by the City of Jasper. A building may be placed across the common interior lot line so long as two (2) or more adjoining lots are owned by the same individual or individuals and so long as such building does not cross or interfere with an existing or platted easement.
4. No chain link fences shall be constructed on any lot in this subdivision.
5. All residential structures built in this subdivision (with the exception of Lots 2, 3, and 4) 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.
6. Within six (6) months from the beginning of construction, the outside shell must be completed and the exterior finished, within twelve (12) months from the beginning of construction, said residence must be completed and the site finish grade and reasonably landscaped. No residence shall be constructed which has a principal living area more than four (4) feet below ground level or commonly called a basement home.
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 occupancy in accordance with City of Jasper, Indiana Ordinances.
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. The keeping of poultry, cows, goats, hogs, horses or livestock of any nature is strictly prohibited. No more than two (2) dogs and/ or two (2) cats shall be permitted at each residence.
9. All lot owner will be required to supply a suitable construction entrance and storage are 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).
10. No natural water or drainage course or surface drainage course shall be altered so as to adversely affect any adjoining land or lot. All lot owners shall take steps to prevent erosion of the soil of his lot or lots. All swales for surface water drainage along side and rear property lines shall be preserved and not obstructed. The maintenance of surface drainageways, waterways, and/or swales across lots shall be at owners expense.
11. No tent, shack, garage, barn, trailer or other outbuilding erected or placed on any lot shall at any time be used for residential purposes.
12. 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, and must be built 2 feet above the existing 100 year flood elevation.
13. Owners of Lots 2, 3 and 4 shall maintain the wooded buffer zone with normal horticultural practice for preservation.
14. Owners of Lots 2, 3, and 4 shall maintain the private drive along the west line of Lots 3, 4, and 5. Maintenance costs shall be shared between said lot owners.
15. Lots 2, 3, 4, and 5 shall have the right to ingress/egress use of the private drive along the west line of Lots 3, 4, and 5.

Restrictive Covenants of Brookstone Estates VI

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 (one vote per lot) agree to an amendment in writing. Such amendment does not become effective until it is recorded with the Recorder of Dubois County.

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 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 judgments order of court shall in no way affect any other provisions thereof, which shall remain in full force and effect.

1. No one-story dwelling shall be permitted on any lot with a ground floor of 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 space of less than one thousand (1000) square feet and a total living area of less than one thousand seven hundred (1700) square feet, exclusive of open porches, patios, balconies, carports, garages and basements.
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4. No chain link fences shall be constructed on any lot in this subdivision.
5. All residential structures built in this subdivision shall have a total exterior construction of 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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7. No vehicles shall be parked regularly or habitually on any street. The owner of every lot shall provide adequate off-street parking facilities for the vehicles of all occupancy in accordance with City of Jasper, Indiana Ordinances. Storage of boats, school buses, and recreational vehicles shall be within an enclosed building.
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. The keeping of poultry, cows, goats, hogs, horses or livestock of any nature is strictly prohibited. No more than two (2) dogs and/ or two (2) cats shall be permitted at each residence.
9. All lot owner 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). Each lot owner shall be responsible for erosion

control measures during construction necessary for their work throughout building construction, which may include silt fence, concrete washout, or other measures.

10. No natural water or drainage course or surface drainage course shall be altered so as to adversely affect any adjoining land or lot. All lot owners shall take steps to prevent erosion of the soil of his lot or lots. All swales for surface water drainage along side and rear property lines shall be preserved and not obstructed. The maintenance of surface drainageways, waterways, and/or swales across lots shall be at owners expense.
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