

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 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 restrictions, condition or protective covenant herein, it shall be lawful for any person or persons holding any interest in any lot to prosecute any proceeding 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 from such violations.

Invalidation of any of the restrictions, conditions or protective covenants by judgements order of court shall in no way affect any other provisions 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. Any accessory building shall be of similar construction and appearance so as to match the primary structure. Accessory buildings are limited to no more than one per lot.
2. No Single family one story dwellings will be permitted with a ground floor of less than one thousand one thousand (1000) square feet for all lots exclusive of open porches, patios, balconies, carports, garages and basements.
3. All lots shall be used for residential use only. No residential lot shall be subdivided by the owner or owners for the purpose of creating two (2) or more residential lots.
4. 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 on their lot or lots. All swales for surface water drainage and retention areas along side and rear property lines shall be preserved and not obstructed. The maintenance of surface drainage ways, waterways, detention areas, and/or swales across lots shall be at Owner's expense.
5. Lot owners shall be responsible for mowing, trimming, and cleaning of all public utility and drainage easements, swales or ditches reserved for storm water drainage which are located on their property. Owners of Lots 18 and 19 shall be responsible for mowing, trimming, cleaning, and continued maintenance and repair of the permanent detention area on their lot or lots, at their sole expense. The detention area shall be maintained as designed in the drainage plan recorded as a part of this plat. Before turning over to Lot Owner all silt from detention area needs to be

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removed by Developer after lots completed, put to grade and seeded with fescue. All responsibility for the permanent detention area shall remain with the Developer until such time as Lots 18 and 19 are conveyed via recorded deed.

6. No building or accessory building shall be located on any lot nearer to the lot line than the minimum building setback line shown on the plat. 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.
7. 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, Public Utility Easements, Drainage Easements and street property lines.
8. Chain link fences are prohibited.
9. No dwellings or accessory building shall have exposed on its exterior any asbestos, tile, paper or asphalt siding.
10. Within six (6) months from the beginning of construction or within 18 months of the issuance of the building permits, whichever is earlier, the outside shell must be completed and the exterior finished within twelve (12) months from the beginning of construction or within 18 months of the issuance of the building permit, whichever is earlier, said residence must be completed and the site finish grade and reasonably landscaped. No residence shall be constructed which has principal living area more than four (4) feet below ground level or commonly called a basement home.
11. All residential dwellings shall have a garbage disposal installed which shall be in operating condition at all times. No lot shall be used or maintained as a dumping ground or collecting area for rubbish, nor may garbage or rubbish be buried on such lots. Rubbish, garbage and other waste shall be kept in sanitary containers concealed from streets and parks and removed from the premises within a reasonable time.
12. Owners of vacant lots shall be required to maintain, at their expense, their lots in a clean and uncluttered manner. Weeds and grass shall be cut as necessary, or as required by Ferdinand Municipal Code.
13. 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 Town of Ferdinand, Indiana. School buses shall be parked within an enclosed building. Storage of boats and recreational vehicles shall occur no closer to the street than the house façade along street frontage.

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14. There shall be no parking within the cul-de-sacs or the turn radius of the cul-de-sacs, and also no parking along the east and north portions of the streets within this subdivision.
15. Adequate parking of two (2) spaces per dwelling unit is to be provided by the Owner.
16. 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.
17. 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 inches 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 their lot or lots in compliance with "Rule 5" (327 IAC 15-5)