

COVENANTS, RESTRICTIONS AND CONDITIONS

1. THE LOTS IN THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS RESIDENTIAL LOTS AND SHALL NOT BE USED EXCEPT FOR RESIDENTIAL PURPOSES. NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED OUT UPON ANY LOT NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR BECOME A NUISANCE OR ANNOYANCE TO THE NEIGHBORHOOD.
2. THE RESIDENTIAL COVENANTS, RESTRICTIONS AND CONDITIONS HEREINAFTER SET OUT SHALL, IN THEIR ENTIRETY, APPLY TO THE ENTIRE SUBDIVISION UNLESS OTHERWISE PROVIDED HEREIN.
3. NO RESIDENTIAL LOT SHALL BE SUBDIVIDED BY THE OWNER OR OWNERS FOR THE PURPOSE OF CREATING TWO (2) OR MORE RESIDENTIAL LOTS.
4. NO BUILDING OR STRUCTURE OF A TEMPORARY CHARACTER, TENT, SHACK, GARAGE HOUSE, BASEMENT HOUSE, BARN HOUSE, BARN OR OTHER SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY. FOR THE PURPOSE OF THIS PARAGRAPH, MOBILE HOMES SHALL BE CONSIDERED AS STRUCTURES OF TEMPORARY CHARACTER AND BASEMENT HOUSE SHALL BE CONSIDERED AS ANY DWELLING IN WHICH THE FLOOR ELEVATION OF THE PRINCIPLE LIVING AREAS IS MORE THAN FOUR (4) FEET BELOW GROUND LEVEL ON ANY SIDE OF THE DWELLING.
4. NO STRUCTURE SHALL BE ERECTED, ALTERED, PLACED, CONSTRUCTED OR PERMITTED TO REMAIN ON LOTS 1 THRU 8 AND LOTS 10 THRU 13 IN THIS SUBDIVISION OTHER THAN ONE SINGLE-FAMILY DWELLING, ONE GARAGE, AND ONE SMALL SHED (NOT EXCEEDING 150 SQUARE FEET OF FLOOR AREA) FOR LAWN AND GARDEN TOOLS. NO SINGLE FAMILY ONE STORY DWELLING WILL BE PERMITTED ON ANY LOT WITH A GROUND FLOOR AREA LESS THAN ONE THOUSAND (1,000) SQUARE FEET EXCLUSIVE OF OPEN PORCHES, PATIOS, BALCONIES, CARPORTS, GARAGES AND BASEMENTS. NO SINGLE FAMILY TWO STORY DWELLING MAY BE PERMITTED ON ANY LOT WITH A GROUND FLOOR AREA OF LESS THAN FIVE HUNDRED (500) SQUARE FEET AND A TOTAL FLOOR AREA LESS THAN ONE THOUSAND (1,000) SQUARE FEET, EXCLUSIVE OF OPEN PORCHES, PATIOS, BALCONIES, CARPORTS, GARAGES AND BASEMENTS.
5. NO STRUCTURE SHALL BE ERECTED, ALTERED, PLACED, CONSTRUCTED OR PERMITTED TO REMAIN ON LOT 9 OTHER THAN FOR MULTI-FAMILY STYLE HOUSING. EACH DWELLING UNIT WITHIN A MULTI-FAMILY HOUSING STRUCTURE SHALL HAVE A MINIMUM FLOOR AREA OF 550 SQUARE FEET, EXCLUSIVE OF OPEN PORCHES, PATIOS, AND BALCONIES.
6. NO STRUCTURE SHALL BE ERECTED, ALTERED, PLACED, CONSTRUCTED OR PERMITTED TO REMAIN ON LOTS 14 THRU 21 OTHER THAN TOWNHOUSE STYLE HOUSING. NO MORE THAN ONE SINGLE STORY OR TWO STORY DWELLING MAY BE CONSTRUCTED ON EACH LOT HAVING A MINIMUM FLOOR AREA OF 1,000 SQUARE FEET EXCLUSIVE OF OPEN PORCHES, PATIOS, BALCONIES, CARPORTS, GARAGES AND BASEMENTS.
7. 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 LOCATED ACROSS THE COMMON INTERIOR LOT LINE SO LONG AS TWO (2) OR MORE ADJOINING LOTS ARE OWNED BY THE SAME INDIVIDUALS AND SO LONG AS SUCH BUILDING DOES NOT CROSS OR INTERFERE WITH AN EXISTING OR PLATTED EASEMENT.
8. NO DWELLING OR ACCESSORY BUILDING SHALL HAVE ASBESTOS, TILE, PAPER, OR ASPHALT SIDING EXPOSED ON ITS EXTERIOR.
9. ALL RESIDENTIAL DWELLINGS SHALL HAVE A GARBAGE DISPOSAL INSTALLED WHICH SHALL REMAIN IN OPERATING CONDITION AT ALL TIMES. THERE SHALL BE NO DUMPING OR OPEN BURNING OF TRASH OR DEBRIS PERMITTED ON ANY OF THE LOTS IN THIS SUBDIVISION. TRASH, GARBAGE OR OTHER WASTE SHALL BE KEPT IN SANITARY CONTAINERS WITH SAID CONTAINERS KEPT IN A CLEAN AND SANITARY CONDITION. ALL TRASH CONTAINERS SHALL BE KEPT INSIDE OR AT THE REAR OF THE DWELLING EXCEPT AT THOSE TIMES DESIGNATED FOR ROUTINE TRASH COLLECTION.
10. THE KEEPING OF POULTRY, COWS, GOATS, HOGS, HORSES, OR LIVESTOCK OF ANY NATURE IS PROHIBITED. NO MORE THAN TWO (2) DOGS AND/OR TWO (2) CATS SHALL BE PERMITTED AT EACH RESIDENCE. DOMESTIC ANIMALS FOR COMMERCIAL PURPOSES IS PROHIBITED ON ALL LOTS IN THIS SUBDIVISION. DOMESTIC PETS SHALL BE KEPT REASONABLY PENNED, CHAINED OR FENCED AND SHALL NOT BE ALLOWED TO ROAM FREELY BEYOND THE LIMITS OF THE OWNER'S LOT(S).
11. OWNERS OF LOTS IN THIS SUBDIVISION, INCLUDING VACANT LOTS, SHALL BE REQUIRED TO MAINTAIN SAID LOTS IN A CLEAN, UNCLUTTERED AND EROSION-FREE MANNER AT THEIR OWN EXPENSE. WEEDS AND OTHER GROWTH SHALL BE CUT AS NECESSARY TO PRESERVE A CLEAN APPEARANCE. LOT OWNERS SHALL BE RESPONSIBLE FOR MOWING, TRIMMING, AND CLEANING OF ALL EASEMENT AREAS LOCATED UPON THEIR LOT, AT THEIR EXPENSE. ADDITIONALLY, LOT OWNERS SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL SURFACE AND SUBSURFACE DRAINAGE FEATURES FOR STORM WATER CONVEYANCE AND/OR DETENTION/RETENTION LOCATED UPON THEIR LOT, AT THEIR EXPENSE.
12. LOT OWNERS MAY NOT BLOCK OR OBSTRUCT ANY DRAINAGE WAY THAT HAS BEEN PROVIDED IN THE SUBDIVISION PLAT FOR STORM WATER DRAINAGE. THE CITY MAY, IF NECESSARY, ENTER THE DRAINAGE EASEMENT TO REMOVE THE OBSTRUCTION. IF THE OBSTRUCTION HAS BEEN PLACED INTENTIONALLY BY THE LANDOWNER, THE COST OF REMOVING THE OBSTRUCTION WILL BE PAID BY THE LANDOWNER.
13. NO FENCE SHALL BE ERECTED ON OR ALONG ANY LOT LINE, NOR ON ANY LOT, THE PURPOSE OR RESULT THEREOF TO OBSTRUCT REASONABLE VISION, LIGHT OR AIR MOVEMENT AT A HEIGHT OF GREATER THAN 6 FEET ABOVE THE GROUND. NO FENCE MAY BE ERECTED CLOSER TO THE RIGHT-OF-WAY LINE THAN THE FRONT OF THE DWELLING OR WITHIN ANY EASEMENT. ALL FENCES SHALL BE KEPT IN GOOD REPAIR AND ERECTED REASONABLY AS TO ENCLOSE THE PROPERTY AND DECORATE THE SAME WITHOUT HINDRANCE OR OBSTRUCTION TO ANY OTHER PROPERTY.
14. NO FENCE, WALL, HEDGE, TREE, SIGN OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES, AND ELEVATIONS BETWEEN 2.5 AND 8.0 FEET ABOVE THE STREET SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET RIGHT OF WAY LINES AND A LINE CONNECTING POINTS 40 FEET FROM THE INTERSECTION OF SAID STREET LINES, OR IN THE CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET RIGHT OF WAY LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL APPLY TO ANY LOT WITHIN 10 FEET OF THE INTERSECTION OF A STREET RIGHT-OF-WAY LINE WITH THE EDGE OF THE DRIVEWAY PAVEMENT.
15. ANY PERMANENT OBJECT, SHRUBS, AND/OR STRUCTURES PLACED WITHIN THE CITY RIGHT-OF-WAY MAY BE REMOVED BY THE CITY, IF DETERMINED TO BE NECESSARY BY THE ENGINEER OR STREET SUPERVISOR, FOR PROPER MAINTENANCE OF THE ROAD. THE CITY WILL NOT BE LIABLE FOR THE COST OF ANY SUCH OBJECTS.
16. 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 RESIDENT OCCUPANTS. NO ON-STREET PARKING MAY OBSTRUCT ACCESS TO ANY DRIVEWAY LOCATED WITHIN THE SUBDIVISION. NO INOPERABLE VEHICLES MAY BE PARKED ON ANY STREET OR ON ANY LOT IN THE SUBDIVISION HEREIN BEING PLATTED.
17. ALL LOT OWNERS MUST TAKE STEPS TO PREVENT THE EROSION OF SOIL FROM THEIR LOT OR LOTS DURING AND AFTER CONSTRUCTION IN ACCORDANCE WITH 327 I.A.C. 15-5. LOT OWNERS SHALL COMPLY WITH THE APPROVED EROSION CONTROL PLANS SUBMITTED FOR THIS SUBDIVISION.