

BEECHCREST - NINTH SECTION
INSTRUMENT #64-27884
RECORDED JUNE 9, 1964
RESTRICTIONS

- A. The streets shown and not heretofore dedicated are hereby dedicated to the public.
- B. All numbered lots in this Addition shall be designated as residential lots. Only one single family dwelling with accessory building and not exceeding two stories in height may be erected or maintained on said lots.
- C. Front and side building lines are established as shown on this plat between which lines and the property lines of the streets, no structure shall be erected or maintained. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the street, shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting points 25 feet from the intersection of said street lines, or in the case of a rounded property corner, from the intersection of the street lines extended. The same sightline limitations shall apply to any lot within 10 feet from the intersection of a street line with the edge of a driveway, pavement or alley line. No tree shall be permitted to remain within such distances of such intersection unless the foliage line is maintained at a sufficient height to prevent obstruction of the sight line.
- D. No one story house shall be erected on any lot in this Addition having a ground floor area of less than 1,000 square feet and no one and one half or two story house having a ground floor area of less than 720 square feet, exclusive of open porches, garages or basements.
- E. No trailer, tent, shack, basement, garage, barn or other outbuilding or temporary structure shall be used for temporary or permanent residential purposes on any lot in this Addition.
- F. No noxious or offensive trade shall be carried on upon any lot in this Addition nor shall anything be done thereon which shall be or become a nuisance to the neighborhood.
- G. No lot in this subdivision shall be resubdivided into a building lot having an area of less than 11,250 square feet.
- H. No poultry or farm animals shall be raised or maintained on any lot. This restriction shall not prohibit a resident from keeping a usual pet animal or bird.
- I. There are strips of ground as shown on the within plat marked "Drainage Easement" and/or "Utility Easements" which are hereby reserved for the use of public utility companies, not including street car or transportation companies for the installation and maintenance of mains, ducts, poles, lines, wires, sewers and drains, subject at all times to the authority of Marion County, and to the easement herein reserved. No permanent or other structures shall be erected or maintained on said strips. The owners of such lots in this Addition, however, shall take their titles subject to the rights of the public utilities and to those of the other owners of lots in this Addition, to said easement herein granted for ingress and egress in, along and through the strips of ground so reserved.
- J. The right to enforce the within provisions, restrictions and covenants by injunction, together with the right to cause the removal by due process of law of any septic tank, absorption bed or structure erected or maintained in violation thereof, is hereby dedicated and reserved to the owners of the several lots in this subdivision, their heirs or assigns, and the Metroplan Commission, their successors or assigns, who shall be entitled to such relief without being required to show any damage of any kind to any such owner or owners by or through any violation or attempted violation. Said provisions shall be in full force and effect until June 1, 1988, at which time said covenants shall be automatically extended for successive periods of 10 years, unless by a vote of the majority of the then owners of the lots, it is agreed to change the covenants in whole or in part. Invalidation of any one of the covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.
- K. The within covenants, limitations and restrictions are to run with the land and shall be binding on all parties and persons claiming under them.

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be erected or maintained. No fence, wall, hedge or shrub planting which

obstructs sight lines at elevations between 2 and 6 feet above the street,

shall be placed or permitted to remain on any corner lot within the

triangular area formed by the street property lines and a line connecting

points 25 feet from the intersection of said street lines, or in the case of

a rounded property corner, from the intersection of the street lines extended.

The same sightline limitations shall apply to any lot within 10 feet from the

intersection of a street line with the edge of a driveway, pavement or alley

line. No tree shall be permitted to remain within such distances of such

intersection unless the foliage line is maintained at a sufficient height to

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exclusive of open porches, garages or basements.

E. No trailer, tent, shack, basement, garage, barn or other outbuilding or

temporary structure shall be used for temporary or permanent residential

purposes on any lot in this Addition.

F. No noxious or offensive trade shall be carried on upon any lot in this

Addition nor shall anything be done thereon which shall be or become a

nuisance to the neighborhood.

G. No lot in this subdivision shall be resubdivided into a building lot

having an area of less than 11,250 square feet.

H. No poultry or farm animals shall be raised or maintained on any lot.

This restriction shall not prohibit a resident from keeping a usual pet

animal or bird.

I. There are strips of ground as shown on the within plat marked "Drainage

Easement" and/or "Utility Easements" which are hereby reserved for the use of

public utility companies, not including street car or transportation companies

for the installation and maintenance of mains, ducts, poles, lines, wires,

sewers and drains, subject at all times to the authority of Marion County,

and to the easement herein reserved. The owners of such lots in this

Addition, however, shall take their titles subject to the rights of the

public utilities and to those of the other owners of lots in this Addition,

to said easement herein granted for ingress and egress in, along and

through the strips of ground so reserved.

J. The right to enforce the within provisions, restrictions and covenants

by injunction, together with the right to cause the removal by due process of

law of any septic tank, absorption bed or structure erected or maintained in

violation thereof, is hereby dedicated and reserved to the owners of the

several lots in this subdivision, their heirs or assigns, and the Metropolitan

Plan Commission, their successors or assigns, who shall be entitled to such

relief without being required to show any damage of any kind to any such

owner or owners by or through any violation or attempted violation. Said

provisions shall be in full force and effect until June 1, 1988, at which

time said covenants shall be automatically extended for successive periods of

10 years, unless by a vote of the majority of the then owners of the lots, it

is agreed to change the covenants in whole or in part. Invalidation of any

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