

BRENDON PARK - THIRD SECTION
INSTRUMENT #64-16946
RECORDED APRIL 8, 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 street, 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 the said street lines. 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 Lots 27 through 55, inclusive, in this addition, having a ground floor area of less than 1200 square feet, and no one and one half or two story house having a ground floor area of less than 800 square feet, exclusive of open porches, garages, or basements; no one story house shall be erected on Lots 56 through 86, inclusive, in this addition, having a ground floor area of less than 900 square feet, and no one and one half or two story house having a ground floor area of less than 660 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.
- H. No lot in this subdivision shall be resubdivided into a building lot having an area of less than 15,000 square feet for the area North of Lots 56 and 86, nor an area of less than 11,250 square feet for the area South of Lots 51 and 55.
- I. 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.
- J. There are strips of ground as shown on the within plat marked "Drainage Easements" 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 having jurisdiction, and to the easement herein reserved. No permanent or other structure shall be erected or maintained on said strips. The owners of such lots in this addition, however, shall take titles subject to the rights of the public utility companies 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.
- K. 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, Metropolitan Plan Commission, their heirs 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, 1986, 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.
- L. The within covenants, limitations and restrictions are to run with the land and shall be binding on all parties and persons claiming under them.
- M. By this covenant the undersigned does hereby agree to reserve and not build upon Lots numbered 29 through 33 inclusive and Lot numbered 38 for a period of not to exceed three (3) years. This reservation is for land contemplated to be acquired by the Indiana State Highway Commission. This reservation is made pursuant to terms and conditions as set out in Section 2.05, sub-section 3, paragraph C of Chapter 2 of the Subdivision Control Ordinance of Marion County, Indiana, as amended.

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- 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.

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