

BRENDON PARK - FIFTH SECTION  
INSTRUMENT #66-58152  
RECORDED NOVEMBER 14, 1966  
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 ay 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, 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 lines.
- D. No one story house shall be erected on Lot 128 through 135, 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 136 through 165, 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.
- G. No building shall be erected nearer to the front lot line than the building line as shown on the above plat, provided that where the same person or persons owns two adjoining lots, such owner may build a residence or dwelling house or appurtenant garage across the building line or to coincide therewith.
- 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 136 and 165, nor an area of less than 11,250 square feet for the area South of Lot 128 and 135.
- 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 utilities and to those of the other owners of lots in this addition to said easement herein granted for ingress and egress in, along, across 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 spetic 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, who shall be entitled to such relief without being required to show any damage of any king to any such owner or owners by or through any such violation or attempted violation and the right of enforcement by the Metropolitan Plan Commission of Marion County, Indiana, its successors or assigns. Said provisions shall be in full force and effect until March 15, 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 covenant 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.

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