

CROSSGATE SECOND SECTION  
PLAT BOOK 32 PAGE 401  
RECORDED NOVEMBER 13, 1963  
RESTRICTIONS

1. No Lots shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single family dwelling not to exceed 2½ stories or 35 feet in height, and a private garage for not more than two cars.
  2. No dwelling shall be permitted on any lot, unless the ground floor area of the main structure, exclusive of one story open porches and garages, is equal to or in excess of 1000 square feet. A structure containing more than one story shall have a ground floor area of not less than 700 square feet.
  3. No building shall be located on any lot nearer to the front lot line, or nearer to the side street line than the minimum building setback lines shown on this plat. No building shall be located nearer to the side yard line than 15% of the width of the lot at the building setback line or 15 feet, whichever is the lesser, except where the same person or persons own 2 adjoining lots not separated by a utility strip as shown on this plat, then this restriction shall apply to the lot lines of the extreme boundaries of the multiple lots.
  4. Easements marked as utility strips on this plat are hereby reserved for public utilities, excluding transportation companies, for the installation and maintenance of poles, lines, wires, ducts, mains, sewers and drains. Purchasers of lots in this subdivision shall take their title subject to the easements hereby created and subject at all times to the rights of proper authorities to service the utilities and the easements hereby created. No permanent structure of any kind except fences shall be built, erected or maintained on said utility strips.
  5. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. No automobile or truck which is not in normal use for transportation purposes, shall be permitted to remain on any lot.
  6. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.
  7. 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 or such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.
  8. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.
  9. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.
  10. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats, or other household pets may be kept, provided that they are not kept, bred, or maintained for any commercial purposes.
  11. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. No individual water supply system shall be permitted on any lot.
  12. The right to enforce each and all of the limitations, conditions and restrictions set forth herein, together with the right to cause the removal of any building erected or altered in violation thereof by injunction or other legal process is hereby reserved and dedicated to the owners of the several lots in this subdivision, their heirs or assigns, and the Metropolitan Plan Commission of Marion County, Indiana, its successors or assigns, who shall be entitled to such injunctive relief without being required to show any damage of any kind to any such owner or owners by or through any such violation or attempted violation.
- These restrictions are hereby declared to be covenants running with this land and shall be binding on all parties and all persons claiming under them for a period of twenty-five (25) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten years unless an instrument signed by a majority of the then owners of the lots has been recorded agreeing to change said covenants in whole or in part. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenants either to restrain violation or to recover damages.
- Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.