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DEDICATION, PROTECTIVE COVENANTS, RESTRICTIONS, LIMITATIONS, EASEMENTS AND APPROVALS APPENDED TO AS Book 28 Page 14 A PART OF THE DEDICATION AND PLAT OF BRADFELD PARK AN ADDITION TO THE CITY OF FORT WAYNE, INDIANA Plat Rec. 28, Page 2 & 3

We, Robert W. and Mildred E. Bradtmiller, hereby declare that we are the Owners of the real estate shown and described in the plat and do hereby lay off, plat and subdivide said real estate in accordance with the information shown on the final plat, being the certified plat appended hereto and incorporated herein. This Addition shall be known and designated as BRADFELD PARK ADDITION, an Addition to the City of Fort Wayne, Indiana.

The lots are numbered from 1 to 61, both inclusive, and all dimensions are shown in feet and decimals of a foot on the Plat. All streets and easements specifically shown or described are hereby expressly dedicated to public use for their usual and intended purpose.

All lots in said Addition shall be subject to and impressed with the covenants, agreements, easements, restrictions, limitations and charges hereinafter set forth; and they shall be considered a part of the conveyance of any lot in said Addition without being written therein. The provisions herein contained are for the mutual benefit and protection of the owners, present or future, of any and all lots in said Addition; and they shall run with the land and shall inure to the benefit of and be enforceable by the owner, or owners, of any land or lot included in said Addition, their respective legal representatives, heirs, successors, grantees and assigns. The owner, or owners, present or future, of any land or lot included in said Addition shall be entitled to injunctive relief against any violation, or attempted violation, of the provisions hereof, and also damages for any injuries resulting from any violation thereof; but there shall be no right of reversion or forfeiture of title resulting from such violation.

The restrictions and limitations imposed upon the lots in said Addition are as follows:

- 1. No lot 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 two and one-half stories in height, and a private garage for not more than two cars.
2. No dwelling may be permitted on any lot at a cost of less than Ten Thousand Dollars (\$10,000.00) based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenants to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the minimum permitted dwelling size.
3. No building shall be located on any lot nearer to the front line or nearer to the side street line than the minimum building setback lines shown on the recorded Plat.

- 13. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty-five (25) years after the date this instrument is recorded, after which time any and all of these restrictions and covenants may be changed, altered, amended, rescinded, vacated or abolished only by and with the written approval of the Board of County Commissioners of Allen County, Indiana.
14. Invalidation of any of these restrictions or covenants by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

IN WITNESS WHEREOF, Robert W. and Mildred E. Bradtmiller, being the owners of the real estate described in said Plat have hereunto set their hand and seal this 14th day of August, 1963.

DULY ENTERED FOR TAXATION PURPOSES: Robert W. Bradtmiller, Mildred E. Bradtmiller. Auditor of ALLEN COUNTY.

STATE OF INDIANA )
COUNTY OF ALLEN ) SS:

Before me, the undersigned Notary Public, in and for said County and State, this 14th day of August, 1963, appeared Robert W. Bradtmiller and Mildred E. Bradtmiller, personally known to me to be the owners of aforementioned real estate, and acknowledged the execution of the foregoing to be the official act of them as owners, and their voluntary act and deed for the uses and purposes therein aforementioned.

BY: Connie S. Turner, Notary Public. My Commission Expires: February 14, 1966.

CERTIFICATE OF PROFESSIONAL CIVIL ENGINEER

I, William C. Baer, hereby certify that I am a Professional Civil Engineer, licensed in compliance with the laws of the State of Indiana, and that this Plat correctly represents a survey completed by me April 26, 1963; that all the markers shown thereon actually exist and that their location, size, type and material are accurately shown. Said lots are numbered from 1 to 61, both inclusive.

Prepared by: Wm. C. BAER, 4949 Avondale Drive, Fort Wayne, Indiana. William C. Baer, Registered Prof. Civil Engineer #2719.



- 4. No dwelling shall be erected or placed on any lot having a width of less than seventy (70) feet at the minimum building setback line.
5. No lot shall be used at any time for a temporary residence nor shall any temporary residential structure or shade of any kind be permitted at any time on any lot.
6. No fences shall be constructed on any lot in said Addition nearer to the front property line thereof than the building line as set forth in the Plat of said Addition.
7. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one (1) square foot in area.
8. 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.
9. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage, or other waste shall be placed in sanitary containers.
10. No noxious or offensive trade or commercial activity may be performed or conducted on any lot any time.
11. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between two (2) and six (6) feet above the roadways 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 them at points twenty-five (25) feet from the intersection of the street lines.
12. All lots in said Addition shall be subject to the easements indicated upon the recorded Plat for any or all of the following purposes: For the construction and maintenance of poles, wires, or conduits and the necessary or proper attachments in connection therewith for the transmission of electricity or for telephone or other purposes; also for the construction and maintenance of surface and water drains, public sewers, pipe lines for supplying gas, water, and heat; and for any other public or quasi public utility or function maintained, furnished or performed by or through any method beneath the surface of the earth.

APPROVALS:

APPROVED: CITY PLAN COMMISSION, Fort Wayne, Indiana. APPROVED: BOARD OF PUBLIC WORKS, Fort Wayne, Indiana.

James F. Dumas, President; Dale F. Doehman, Vice-President; Mary Ann Hays, Secretary; Paul F. Roemke, Chairman; C. L. Sidle, Member; Berkeley Ward, Member.

APPROVED: BOARD OF COMMISSIONERS, Allen County, Indiana.

Harry Asztutz, President; John R. Hartman, Vice-President; Glenn H. Lake, Secretary.

The drainage has been approved by the County Surveyor's office, except for the outlet, a 3' x 3' culvert under highway No. 37, which will have to be increased in size.

David C. Gibson, Chief Deputy.

These Restrictions Prepared By: Hamilton W. Hunter, Jr., Hamilton Hunter, Inc.