

8334

1960 SEP 30 PM 1:28

1. All lots shall be used for residential purposes only. No structures shall be erected, altered, placed, or permitted to remain on any lot other than one single family dwelling not to exceed two stories in height and a private garage for not more than three cars, except the structures necessary to the functioning of the utility system in said addition.

2. No single family dwelling shall be placed or erected on any lot having an area of less than 11,000 square feet.

3. No building of any kind shall be erected nearer than ten feet from the side lot line.

4. An easement, on, along, and over that part of each lot as shown on the original plat will be kept unobstructed for the placing of drains, sewers, poles, and other public utilities.

5. Until such time as a combined water supply and combined water sewage system is available, all lots will have private disposal by using septic tanks and seepage beds according to Allen County Board of Health specifications, and are to be inspected by said Board of Health before being covered.

6. No building of any kind will be erected nearer the front lot line than the building line shown for that lot on said plat.

7. No one-story dwelling shall be permitted with a ground floor area less than 1250 square feet of floor space, exclusive of breezeways, garages, porches, and patios, provided, however, that a one story dwelling with 1200 square feet of floor space, exclusive of breezeways, garages, porches, and patios, plus a two car attached garage of not less than 22 feet by 16 feet (352 square feet) may be erected. No one and a half or two-story dwelling shall be permitted with a ground floor area less than 960 square feet, exclusive of breezeways, porches, patios, and garages, plus a two car attached or detached garage of at least 22 feet by 16 feet (352 square feet). Because of building plans made public prior to the signing of this amendment, lots numbered 2, 4, 13, 15, 23, 44, 62, 70, 72, and 76 are excepted from these area restrictions.

8. No lot shall be used as a place to dump rubbish, trash, or waste material of any nature. No lot shall be used as a place to store or keep any kind of motor vehicle other than those in current use for family transportation. All trash, garbage, or waste resulting from occupancy by residential purposes

shall be disposed of by incinerator or other suitable equipment which shall be kept in a clean or sanitary condition.

9. No animals other than customary domestic pets shall be harbored in this addition. No lot shall be used for a dog kennel or for rearing or boarding of any animals for profit. The number or type of household pets on any lot shall not be such as to become offensive or a nuisance.

10. No detached or temporary structure such as a trailer, basement, tent, shack, garage, barn, or other like structure shall be erected or used as a temporary or permanent residence.

11. No noxious or offensive trade or activity shall be carried on upon any lots, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood. Activities normal to the building, construction, and sale of real estate, including showing of houses, shall not be considered an offensive trade or activity.

12. All fuel storage tanks shall be buried or concealed in the garage or structure of the house. Because of the construction completed prior to the signing of these amendments, lots numbered 25, 42, and 45 are excepted from this restriction.

13. Exterior materials used in the construction of dwellings in this addition shall not include roll roofing, roll siding, asphalt base imitation brick, or asphalt base imitation stone siding, nor shall it include exposed cement block or exposed cinder block except for foundations and ornamentation.

14. No detached building shall be erected except structures with an exterior finish of a quality and appearance commensurate with the residence. Maintenance of the structure shall equal that of the residence.

15. No fences of any kind, except hedges not exceeding three feet in height, shall be located nearer to the front lot line than the building line shown on the recorded plat.

16. No billboards or other advertising signs or devices shall be placed on or be permitted to remain on any lots

other than signs not exceeding thirty square feet which pertain to the building, construction, and sale of said real estate by an owner or developer.

The aforementioned restrictions and limitations shall remain in full force and effect until January 1, 1963, after which time said covenants shall be automatically extended for a period of ten years and successive periods of ten years thereafter. Any and all of these protective covenants and restrictions may be changed, altered, amended, rescinded, vacated, or abolished after January 1, 1963, only by and with the written approval of the City Plan Commission of the City of Fort Wayne, Indiana. Said Commission shall consider any proposal to change and/or amend said restrictions only when the same shall have been presented in writing to said Commission and signed by sixty percent of the owners of the lots in said addition, no owner being entitled to more than one vote. The approval or disapproval shall be within the exclusive discretion of the Commission and no such change, alteration, amendment, or rescision shall be effective before January 1, 1963, and until such proposal with the approval of the said City Plan Commission of the City of Fort Wayne endorsed thereon shall have been duly recorded in the office of the Recorder of Allen County, Indiana.

Invalidation of any one of these covenants by judgment or court order shall in no way effect any of the other provisions which shall remain in full force and effect.

~~Albert Schumacher~~

Albert Schumacher

Christy Schumacher

Eva Schumacher

Anna Schumacher

Margaret Schumacher

Viola Schumacher

Martha Schumacher

Leah Schumacher

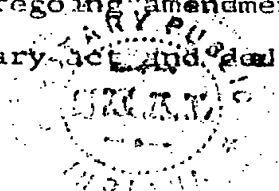
Loraine Schumacher

Mary Schumacher

STATE OF INDIANA:
COUNTY OF ALLEN : SS:

Book 213 Page 472

Before me, a notary public in and for said county and state, this 19 ^{October} day of ~~July~~, 1959, personally appeared John Schmucker and Viola Schmucker, husband and wife; Enos Schmucker and Loraine Schmucker, husband and wife; Albert Schmucker and Martha Schmucker, husband and wife; Christy Schmucker and Leah Schmucker, husband and wife; Amos Schmucker and Mary Schmucker, husband and wife, and Margaret Schmucker, unmarried and over the age of twenty-one years, the owners of lots in said Royal Oaks Addition, Section 14, and acknowledged the execution of the foregoing amendment to protective restrictions, to be their voluntary act and deed, for the uses and purposes therein stated.



Sam Bagel
Notary Public

My commission expires:

Feb 13, 1961

Robert L. Rath

Engene Behren

Donald R. Dean

Gayle E. Sullivan

H. Franklin Shaw

Donald W. Koepke

Donald B. Krings

Dallas R. Weber Jr.

Edward Byrne, Jr.

Levy H. White

Harold S. McKnight

Lewis H. Kerner

Margaret J. Rath

Margaret A. Behren

Herda E. Dean

Marjorie Sullivan

Mildred E. Koepke

Thelma L. Krings

Granita M. Hahle

Joan V. Byrne

Mae Grand White

Helen M. McKnight

Jeanne J. Kerner

~~Wilfred R. Wehly~~

Lillian R. Wehly

Richard K. Zyrus

Kath. Hubert D. Fuchman

Charles Robert Brown

Ralph E. Millhouse

Albert S. Brown

Leitch C. Ruch, Jr.

Roland M. Helberg

Carl R. Miller

David J. Harrison

Charles E. Fleck

Richard E. Hoffman

Paul S. Martin

Robert W. Baumann

Regina A. Baumann

Albert H. Drygold

Harry J. Zurbick

Louis K. Shaheen

Donald A. Finner

Cecilia L. Mass

Frederick H. Munding

Selma E. Parrot

Jack E. Hager

Dorane B. Newport

Helen L. Newport

Helen D. Byers

Kathryn B. Fuchman

Sophia L. Brown

Bartholomew J. Millhouse

Adeline S. Brown

Joyce M. Ruch

Vanda J. Helberg

Virginia E. Miller

Robert L. Harrison

Sylvia M. Fleck

Patricia A. Hoffman

Eugene Martin

Regina A. Baumann

Joyce Lanning

Louis D. Huxoll

Eunice E. Zurbick

Alice S. Shaheen

Lori H. Finner

Helma R. Munding

Gloria J. Munding

Louis C. Parrot

Ann Hager

Clark H. Grove

Otis W. Clark

Clarence C. Klomp

C. Harrod Ledy

Donald E. Wasson

William Mahwood

Robert R. Kuhn

James L. Beck

Joseph E. Powell

Richard W. Shenfeld

Hester C. Wade

Charles Howard Gumpfer Jr.

N. Keith R. Barker

Keith R. Gaudin

Merill C. Foote

Ronald R. Alf

Eugene J. Reiger

Albert W. McAllen

Le Ray B. Adang

McComb Const. Co.

Michael S. McComb

Floyd H. Englat

Keith A. Bragg

Winifred S. Grove

Leah M. Clark

Agnes H. Klomp

Mable Victorian Selger

Carol J. Wasson

Wade R. Burnace

Ruth B. Kuhn

Sharon A. Beck

Josephine Powell

Norma Shenfeld

Mabel S. Wade

Andrew H. Gumpfer

Martha A. Barker

Margaret A. Gaudin

Audrey L. Foote

Sharon R. Alf

Joan R. Reiger

Margaret V. McAllen

Leta J. Adang

Charlotte Gurbuck

Patty J. Englat

Virginia K. Bragg

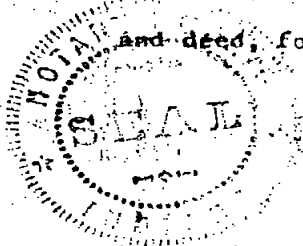
STATE OF INDIANA:

1 SS:

COUNTY OF ALLEN:

Before me, a notary public in and for said county and state, this 25th day of August 1960, personally appeared Robert L. Roth and Margaret G. Roth, husband and wife; Eugene Behun and Margaret H. Behun, husband and wife; Donald R. Dean and Gerda C. Dean, husband and wife; Gayle B. Gullion and Marjorie Gullion, husband and wife; W. Franklin Shaw; Donald W. Koepke and Mildred E. Koepke, husband and wife; Donald G. Kring and Helen L. Kring, husband and wife; Dallas L. Weibel and Juanita M. Weibel, husband and wife; Edward Byrne, Jr. and Joan V. Byrne, husband and wife; Jerry W. White and Mae Irene White, husband and wife; Harold S. McKnight, Jr. and Helen M. McKnight, husband and wife; Louis H. Kern, Jr. and Jeanne G. Kern, husband and wife; Wilfred R. Wehrly and Lillian R. Wehrly, husband and wife; Duane B. Newport and Dorothy L. Newport, husband and wife; Richard K. Byers and Helen D. Byers, husband and wife; Hubert D. Fuhrman and Kathryn B. Fuhrman, husband and wife; Charles Robert Braun and Sophia L. Braun, husband and wife; Ralph E. Millhouse and Dorothy J. Millhouse, husband and wife; Albert C. Bruns and Adelia S. Bruns, husband and wife; Keith C. Ruch, Jr. and Joyce M. Ruch, husband and wife; Roland M. Helberg and Wanda J. Helberg, husband and wife; Carl A. Miller and Virginia E. Miller, husband and wife; David J. Harrison and Patricia L. Harrison, husband and wife; Charles E. Fleck and Sylvia M. Fleck, husband and wife; Richard B. Hoffman and Patricia A. Hoffman, husband and wife; Paul L. Martin and Suzanne Martin, husband and wife; Robert B. Bowman and Blanche A. Bowman, husband and wife; Ray Gorney, A. W. Hammer and Joyce Gorney; Albert F. Huxoll and Lois D. Huxoll, husband and wife; Harry J. Zurbrick and Eunice E. Zurbrick, husband and wife; Louis K. Shaheen and Alice D. Shaheen, husband and wife; Donald A. Freese and Lois H. Freese, husband and wife; Cedrick L. Mast, and Thelma N. Mast, husband and wife; Frederick G. Munding and Gloria J. Munding, husband and wife; Leland G. Parrot and Lois C. Parrot, husband and wife; Jack B. Hayes and Ann Hayes, husband and wife; Clark G. Grove and Winifred I. Grove, husband and wife; Otis W. Clark and Leah M. Clark, husband and wife; Clarence C. Klomp and Agnes W. Klomp, husband and wife; C. Harold Leedy and Mahle Victorean Selzer; Donald B. Wasson and Carol J. Wasson, husband and wife; Lucelia Nahrwald and Wade Bowman; Robert R. Kieler

and Ruth D. Kieler, husband and wife; James L. Beck and Sharon A. Beck, husband and wife; Joseph E. Powell and Josephine Powell, husband and wife; Richard W. Shenfeld and Norma Shenfeld, husband and wife; Lester G. Wade and Mabel S. Wade, husband and wife; Charles Howard Gumper, Jr. and Sandra F. Gumper, husband and wife; Keith R. Barker and Martha A. Barker, husband and wife; Herbert O. Haneline and Marjorie A. Haneline, husband and wife; Neville C. Foote and Audrey L. Foote, husband and wife; Ronald L. Alt and Sharon L. Alt, husband and wife; Eugene J. Geiger and Joan R. Geiger, husband and wife; Gilbert W. McLennen and Margaret V. McLellen, husband and wife; LeRoy B. Adang and Letha F. Adang, husband and wife; Richard S. McComb, and Charlotte Zurbrick; Floyd A. Englert and Betty J. Englert, husband and wife; Keith A. Bragg and Virginia R. Bragg, husband and wife, the owners of lots in said Royal Oaks Addition and acknowledged the execution of the foregoing amendment to protective restrictions, to be their voluntary act and deed, for the uses and purposes therein stated.



Mary E. Payne

Notary Public

My commission expires:

August 13, 1962

**AMENDED PROTECTIVE RESTRICTIONS, COVENANTS,
LIMITATIONS, AND EASEMENTS FOR ROYAL OAK ADDITION**


Approved: City Plan Commission
Fort Wayne, Indiana

SEPT. 26, 1960


William F. Bergmann
William F. Bergmann, President
Mary Ann Haynie
Mary Ann Haynie, Secretary

Approved: Board of Public Works
Fort Wayne, Indiana

September 28, 1960


Paul Roembke
Paul Roembke, Chairman
John Lombard
John Lombard, Vice-Chairman
Berkeley Ward
Berkeley Ward

Approved: Board of County Commissioners
Allen County, Indiana

Sept 30 60, 1960

Fred W. Meyer
Fred Meyer
Ervin Knight
Ervin Knight

APPROVED
SEP 30 1960

BOARD OF COMMISSIONERS
OF ALLEN COUNTY, IND.

PER Fred W. Meyer

Prepared by James L. Larson
JACKSON & PARRISH
1810 Lincoln Tower
Fort Wayne, Indiana