

AVALON HILLS SECTION SEVENTEEN
INSTRUMENT #71-15657
RECORDED APRIL 8, 1971
RESTRICTIONS

- A. All 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 singlefamily dwelling with an 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 said street lines, or in the case of a rounded property corner, from the intersection of the street lines extended. The same sight line 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 distance of such intersection unless foliage line is maintained at sufficient height to prevent obstruction of sight line.
- D. 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 and no boat, trailer, or camper of any kind (including but not in limitation thereof, house trailers, camping trailers or boat trailers) shall be kept or parked upon said lot except within a garage or other approved structure.
- E. 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.
- F. No lot in this subdivision shall be resubdivided into a building lot having an area of less than 15,000 square feet.
- G. 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.
- H. There are strips of ground as shown on the within plat marked "Drainage Easements" (D. E.), "Sewer Easements" (S. E.) and "Utility Easements" (U. E.), either separately or in any combination of the three which are reserved for the use of public utility companies and governmental agencies, as follows: "Drainage Easements" (D. E.) are created to provide paths and courses for area and local storm drainage, either overland or in adequate underground conduit, to serve the needs of this and adjoining ground and/or the public drainage system. No structure, including fences, shall be built upon said easements which will obstruct flow from the area being served. "Sewer Easements" (S. E.) are created for the use of the local governmental agency having jurisdiction over the storm and sanitary waste disposal system of said city and/or county for the purposes of installation, and maintenance of sewers that are part of said system. "Utility Easements" (U. E.) are created for the use of all public utility companies not including transportation companies, for the installation and maintenance of mains, ducts, poles, lines, wires, and also all rights and uses specified for sewer easements above designated. The owners of all lots in this addition shall take title subject to the rights of the public utilities, governmental agencies, and the rights of the other lot owners in this addition, to said easement herein granted for ingress and egress in, along, and through the strips of ground for the purposes herein stated.
- I. No residence or outbuildings may be erected on the above described property for a period of twenty (20) years from the date hereof until the plan, elevation, location and grade thereof have been approved by College Park Corporation, its nominee, successors or assigns, nor shall any change or alteration be made in exterior design of any such residence or outbuildings after the original construction thereof, and during the said period of time, until approval thereof has been given by College Park Corporation, its nominee, successors or assigns, and during said period of time, no fences or walls may be erected on the above described property without such approval; provided, however, such approval shall be presumed unless notification in writing to the contrary has been provided by College Park Corporation, its nominee, successors or assigns, within fifteen (15) days following submission of any such plans.
- J. 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 structures 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, and The Metropolitan Plan Commission, their successors 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 such violation or attempted violation. Said provision shall be in full force and effect until March 1, 1989, at which time said covenants shall be automatically extended for successive periods of ten 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 judgement or court order shall in no wise affect any of the other provisions, which shall remain in full force and effect.

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