

DUKANE COURT  
INSTRUMENT #68-7005  
RECORDED FEBRUARY 15, 1968  
RESTRICTIONS

The streets shown and not heretofore dedicated are hereby dedicated to the public.

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 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 foliage line is maintained at sufficient height to prevent obstruction of sight line.

Front building lines are established as shown on this plat between which lines and the property lines of the street there shall be erected and maintained no structure. No fence shall be erected closer to the property line of an abutting street than such building lines.

No trailer, tent, shack, basement, garage, barn or other outbuilding or temporary structure shall be used for temporary or permanent residential purposes in any lot in this addition.

No one story single dwelling shall be erected having a ground floor area of less than 1200 square feet, no one and one-half or two story single dwelling having a ground floor area of less than 660 square feet exclusive of open porches, garages, basements or utility rooms.

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.

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.

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 easement 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.

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 addition, 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 January 1, 1992, 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 it is agreed to change the covenants 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.

The within covenants, limitations and restrictions are to run with the land and shall be binding on all parties and persons claiming under them.

No building shall be erected, placed or altered on any building plot in this subdivision until the building plans, specifications and plot plan showing the location of such building have been approved in writing as to the conformity and harmony of external design with existing structures in this subdivision, and as to location of the building, by a committee composed of William K. Pedigo and Paul W. Stewart, or a representative or representatives designated by them. In the event of the death or resignation of any member of said committee, the remaining member shall have authority to approve or disapprove such design and location, or to designate representative of like authority. If the committee shall fail to act upon any plans submitted to it for its approval within a period of 15 days from the submission date of the same, then the owner may proceed with the building according to the plans submitted, which plans however, shall not be contrary to any provision, covenants, conditions and restrictions named in this instrument, and the failure of such committee to act within 15 days shall be deemed an approval on the plan so submitted. Neither the members of such committee nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. The powers and duties of such committee and of its representatives shall cease on an after July 15, 1976. All buildings shall be 50% stone or brick veneer. Mail boxes and fences as to design and location shall also be subject to the approval of said committee.