

SCHLOSS HOME PLACE, SEVENTH SECTION - RESTRICTIONS

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*Recorded June 13, 1942*

*Marion*

All lots in the tract shall be known and described as residential lots and no structure shall be erected on any residential building plot other than one detached single-family dwelling not to exceed two stories in height and a one or two car garage.

No building shall be erected on any residential building plot nearer than 25 feet to nor farther than 40 feet from the front lot line, except open porches, which are not to exceed 10 feet in width, nor nearer than 5 feet to any side lot line. The side line restriction shall not apply to a garage located on the rear one-quarter of a lot except that on corner lots no structure shall be permitted nearer than 15 feet to the side street line.

No residential lot shall be resubdivied into building plots having less than 5000 square feet of area of a width of less than 50 feet each, nor shall any building be erected on any residential building plot having an area of less than 5000 square feet or a frontage of less than 40 feet.

No noxious or offensive trade shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

The ownership or occupancy of lots and buildings in this addition are forever restricted to the members of the pure white race. No negro, mulatto, Japanese, Chinese, or person of any race or mixture of race, except members of the pure white race, shall acquire title to any lot or building, or part of lot or building in this addition or acquire the right to occupy any such lot or building or part of lot or building, as owner, tenant, roomer, or otherwise, except that the white tenants of any lot or lots and residence building thereof, may permit his or her domestic servant or servants not of the pure white race to occupy a room or rooms in his or her residence building or in the second story of his or her garage building appurtenant to his or her said residence building during the time of such domestic service. If any person not of the pure white race shall occupy or attempt to occupy any lot or building or part of lot or building in this addition as owner, tenant, roomer or otherwise, except as domestic servant of a white owner or white tenant, of a residence building therein such occupant shall be enjoined by any court of competent jurisdiction at the suit of any owner or owners of any lot or building in this addition.

No trailer, basement, tent, shack, garage, barn or other outbuilding erected in the tract shall at any time be used as a residence temporarily or permanently, nor shall any residence of a temporary character be permitted.

No structure shall be moved onto any lot unless it meets with the approval of the committee hereinafter referred to, or if there is no committee, it shall conform to and be in harmony with existing structures in the tract.

No building shall be erected on any lot unless the design and location thereof have been approved in writing by a committee appointed by the subdivider, or elected by a majority of the owners of lots in said Addition. The committee shall be L. Frazee or his successor to be appointed by the Arcade Loan and Land Company, Inc., as long as the Arcade Loan and Land Company, Inc., owns and controls any lot or lots in this subdivision. However, in the event that such committee is not in existence or fails to approve or disapprove such design or location within 30 days then such approval will not be required provided the design and location on the lot conform to and are in harmony with the several restrictions contained in this subdivision. In any case either

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with or without the approval of the committee, no dwelling costing less than \$3,000 shall be permitted on any lot in the tract, and the ground floor square feet area thereof shall not be less than 700 square feet in the case of a one-story structure nor less than 500 square feet in the case of a one-and-one-half or two story structure.

A perpetual easement is reserved over the rear five feet of each lot for utility installation and maintenance.

These covenants and restrictions are to run with the land and shall be binding on all the parties and all persons claiming under them until January 1, 1965 at which time said covenants and restrictions shall be automatically extended for periods of 5 years unless they are changed or amended by a vote of two-thirds of the property owners. Streets shown on this plat not heretofore dedicated to the public are hereby dedicated to the public.

If the parties hereto, or any of them, or their heirs or assigns, shall violate or attempt to violate any of the covenants or restrictions herein before January 1, 1965, it shall be lawful for any other person or persons owning any other lots in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant or restriction and either to prevent him or them from so doing or to recover damages, or other dues for such violation.

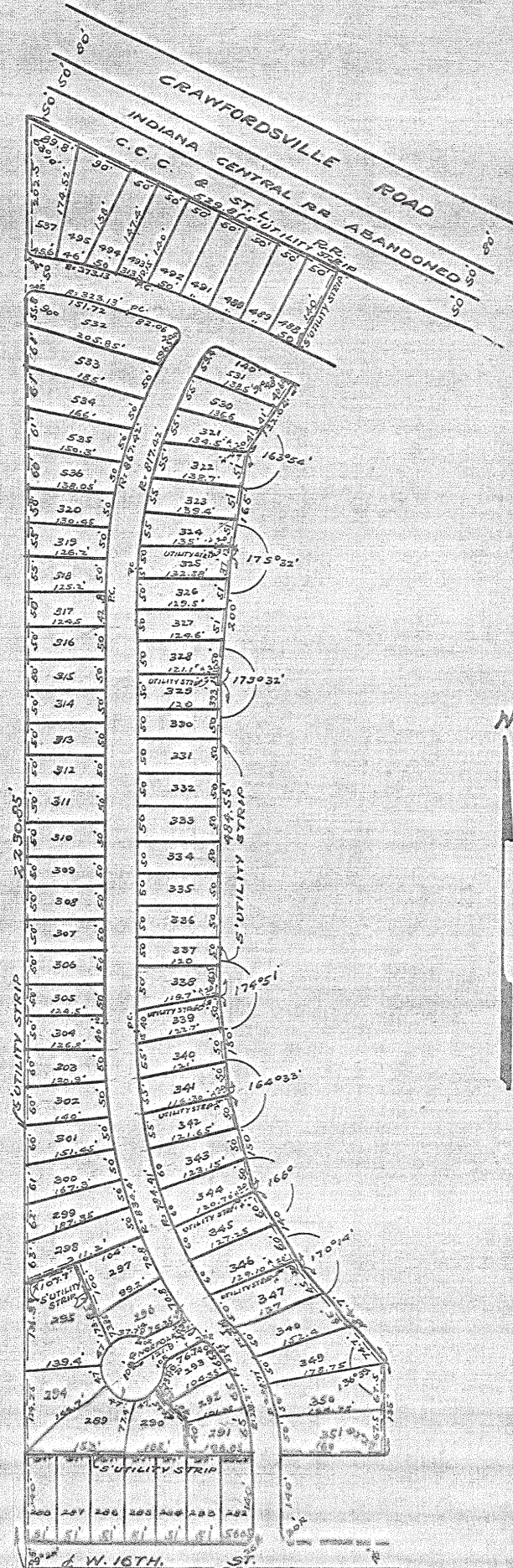
Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.



# SCHLOSS HOME PLACE SEVENTH SECTION

SECTION 36, TWP. 16 N. R. 2 E.

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