

JACOBS SUBDIVISION COVENANTS & RESTRICTIONS

The sale of lots in Jacobs Subdivision will be made with privileges herein stated and subject to the restrictions hereinafter set out. 49

1. All lots in this subdivision shall be known and described as residential lots. No hut, shanty, or other structure shall be erected, placed or be permitted to remain on any such lot except one single family dwelling and private garage, barn and other approved out-buildings, and all dwellings or buildings erected thereon shall be of neat and presentable design and good workmanship.
2. Ground floor area of the main structure, exclusive of one story open porches and garages shall be not less than one thousand (1,000) square feet for a one story dwelling and not less than one thousand (1,000) square feet for a dwelling of more than one story and have a construction cost of not less than twenty thousand (\$20,000.00) dollars based upon cost levels prevailing.
3. All dwellings or buildings shall be of a neat and attractive design and good workmanship conforming in essential details to approved general house plans. Dwellings or buildings shall set back from the center of roads a minimum of 50' from the center of roads which are hereby dedicated to public use. No building shall be permitted to be constructed on a utility or drainage easement where shown on the plat.
4. No noxious or offensive trade or activity shall be carried out upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
5. No swine, goats, chickens or other livestock shall be harbored on property as pets or for commercial purposes.
6. No further subdivision of lots shall be permitted.
7. Easements are reserved as shown across each lot for the purpose of providing utility companies services. The owners of all lots in addition shall take title subject to the rights of the public utilities and governmental agencies to said easement herein granted for ingress and egress to construct and maintain such utilities.
8. All roadways shown and designated as public roadways shall be constructed according to ordinance 9-4-73 and approved by the Brown County Plan Commission. Maintenance of said roads shall be the responsibility of lot owners excluding owner of lot #2 which has frontage on Old SR 46.
9. Buyers expressly assume all risk and responsibility for any accident, injury or damages to persons or property as to himself or others, in or about said premises and agrees to hold sellers harmless from all liabilities therefrom.
10. If the parties hereto, or any of them or their heirs or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property in this subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages or other dues for such violations.
11. Conveyance of all lots in this subdivision will be made subject to all the restrictions herein set forth, which restrictions are made covenants running with the land for the benefit of all present and future owners of all lots in this subdivision and shall be binding upon the grantees and all persons claiming under them until January 1, 1990, at which time said covenants shall be automatically extended for successive periods of five (5) years unless by vote of a majority of the then owners of the lots it is agreed to change said covenants in whole or in part.
12. Invalidation of any one of these covenants by judgement or court order shall in no way affect any of the other provisions which shall remain in full force and effect.
13. The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof erected, or maintained in violation hereof, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and their heirs.