VOGELSHIRE

#6217

A Subdivision of Part of the Northwest Quarter of the Northwest Quarter of Section 22, Township 6 South, Range 10 West Described As Follows: Commencing on the south line of said quarter quarter section 528 feet east of the southeast corner thereof, thence west 468.73 feet, thence north 330.21 feet, thence east 135.35 feet, thence north 330.21 feet, thence east 330 feet, thence south 660.42 feet to the place of beginning.

STATE OF INDIANA ss
VANDERBURGH COUNTY

Before me, a notary Public in and for said State and County, owner and subdivider personally appeared and acknowledged the execution of this plat.

Mary Grace Helfrich, Owner and subdivider

Witness my hand and seal 1 day of Aug. 1940.
My comission expires Nov. 12, 1940. (Seal)

Vertna Cahre, Notary Public

The undersigned Civil Engineer and Surveyor hereby certifies that the above plat is a correct drawing of a survey made according to above description.
Charles F. Day, Professional Engineer
Registered No 3080
State of Indiana

Charles F. Day.

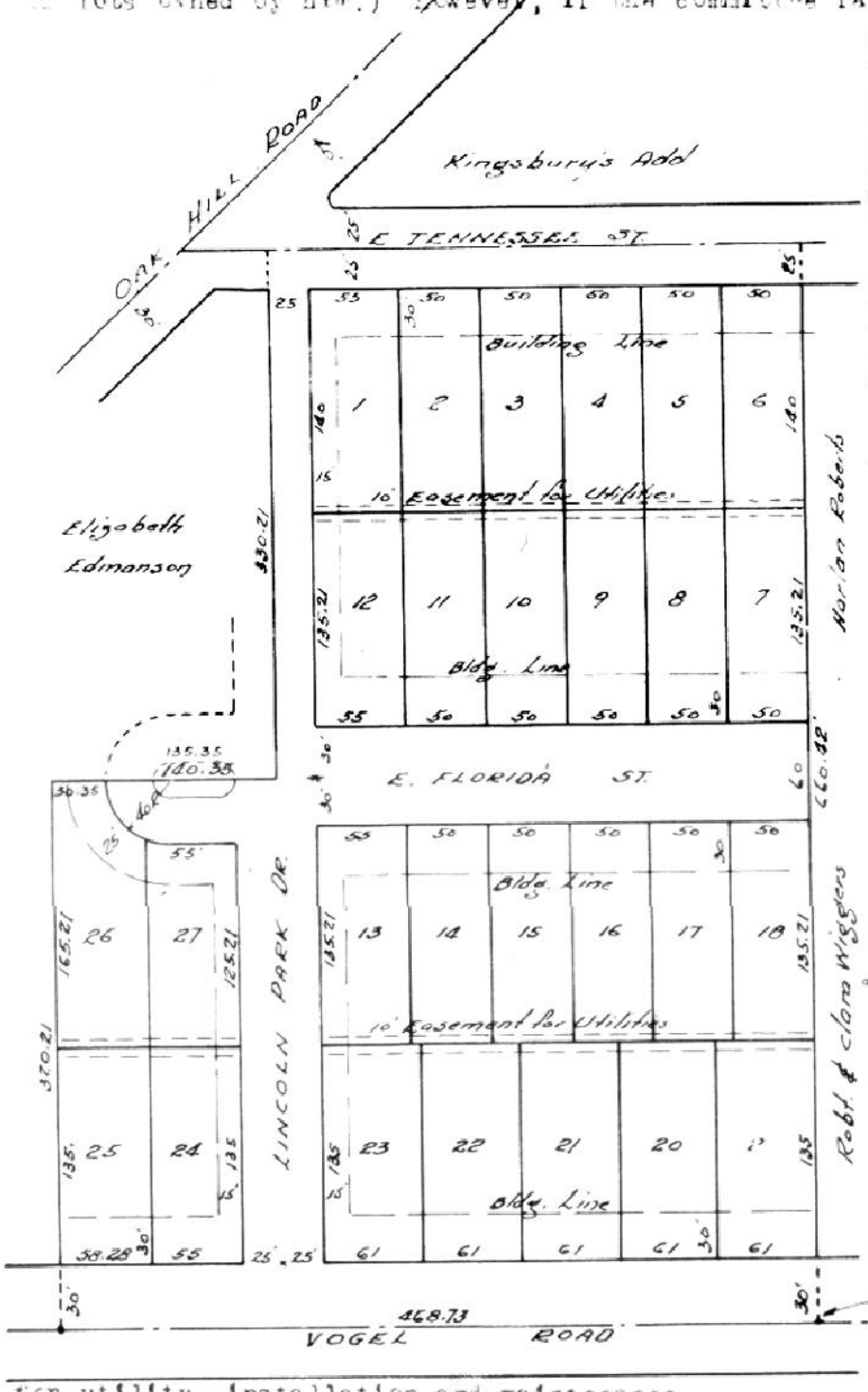
Approved by City Plat Commission of Evansville, Ind. Aug. 7, 1940. Plat Record No. 1 Page 45
H. M. Dickman, Pres.
A. W. Schoettlin, Sec'y.

RESTRICTIVE COVENANTS GOVERNING LOTS IN VOGELSHIRE.

The restrictive covenants governing lots in Vogelshire shall be as follows, namely:

a. All lots in the addition shall be known and described as residential lots. No structures shall be erected, altered, placed, or permitted to remain on any residential building plot other than one detached single-family dwelling.

b. No building shall be erected, altered, placed or permitted to remain on any building plot in this subdivision until the external design and location thereof have been approved in writing by the architectural committee which shall be appointed or elected by the owner or owners of a majority of the lots, which are subject to the covenants herein set forth(it being understood that each owner has votes equal to the number of lots owned by him.) However, if the committee fails to approve or disapprove such design or location within thirty (30) days after such plans have been submitted to it, then such approval will not be required. The completion of construction, alteration, or placement of a structure for thirty (30) days shall be construed as prima facie evidence of committee approval.



Scale 1"=100'

c. No building shall be located nearer than five feet to any side lot line, except that the side line restriction shall not apply to a detached garage or other outbuilding located one hundred(100) feet or more from the front lot line.

If any one person shall own more than one lot, any two of which shall be immediately adjacent to each building, the side line restriction hereof contained shall apply only to the line formed by the joining of said two or more lots, but shall apply to the side lines thereof that are the outer boundaries of said combined lot.

d. No building shall be located on any residential building plot nearer than thirty(30) feet from the front lot line thereof, except that on corner lots no garage shall be permitted nearer than fifteen (15) feet to the side street line.

e. No residential structure shall be erected or placed on any building plot which has an area of less than nine thousand square feet or a width of less than 70 feet at the front building set back line.

f. No noxious or offensive trade or activity 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. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in clean and sanitary condition.

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

h. No dwelling costing less than $4,000.00 shall be permitted on any lot in the subdivision facing on Vogel Road, and no dwelling costing less than $5,000.00 shall be permitted on any lot in the subdivision facing East side of East Tennessee Streets. The ground area of the main structure, exclusive of one-story open porches and garages, shall not be less than 700 square feet in the case of a one-story structure, nor less than 600 square feet in the case of a one and one-half or two-story structure erected on the lots facing on Vogel Road, and the ground floor area of the main structure, exclusive of one-story open porches and garages for homes located on lots facing East Florida and East Tennessee Streets shall not be less than 550 square feet in the case of a one-story structure nor less than 450 square feet in the case of a one and one-half or two-story structure.

i. A Perpetual easement is reserved over the rear five feet of each lot in the addition for utility, installation and maintenance.



k. These covenants are to run with the land and shall be binding on all the parties and all persons claiming under them until January 1, 1960, 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 said covenants in whole or in part.

l. 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 situated in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating of 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 violation.

m. 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.

RECORDED.....AUGUST.....13,1940.

Joseph A Betz RDC

For Amendment of Restrictions, see Misc Record "D" page 447