RESTRICTIONS, CONDITIONS & PROTECTIVE COVENANTS OF HAAG TERRACE #2

THIS PLAT OF HAAG TERRACE #2 IS AN ADDITION IN VANDERBURGH COUNTY, INDIANA, LYING NEAR THE CITY OF EVANSVILLE, BEING A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 6 SOUTH, RANGE 10 WEST.

THESE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PERSONS CLAIMING THEREUNDER UNTIL JANUARY 1, 1975, AT WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF 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. COVENIF 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 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 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.

1. ALL LOTS IN THE TRACT SHALL BE KNOWN AND DESCRIBED AS RESIDENTIAL LOTS EXCEPT LOT #1, WHICH SHALL BE GOVERNED BY ZONING AND BUILDING ORDINANCES AND REGULATIONS CONTROLLING THIS AREA.

2. NO STRUCTURES SHALL BE ERECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY RESIDENTIAL BUILDING LOT OTHER THAN ONE DETACHED SINGLE-FAMILY DWELLING NOT TO EXCEED TWO AND ONE-HALF STORIES IN HEIGHT AND A PRIVATE GARAGE FOR NOT MORE THAN TWO CARS AND OTHER OUTBUILDINGS INCIDENTAL TO RESIDENTIAL USE OF THE PLOT.

3. NO BUILDING SHALL BE LOCATED NEARER TO THE FRONT LOT LINE OR NEARER TO THE SIDE STREET LINE THAN THE BUILDING SETBACK LINES SHOWN ON THE RECORDED PLAT. NO BUILDING, EXCEPT A DETACHED GARAGE OR OTHER OUTBUILDING LOCATED 80 FEET OR MORE FROM THE FRONT LOT LINE, SHALL BE LOCATED NEARER THAN 5 FEET TO ANY SIDE LOT LINE.

4. NO RESIDENTIAL STRUCTURE SHALL BE ERECTED OR PLACED ON ANY BUILDING PLOT, WHICH PLOT HAS AN AREA OF LESS THAN 7500 SQUARE FEET OF A WIDTH OF LESS THAN 50 FEET FRONTAGE, EXCEPT THAT A DWELLING MAY BE ERECTED OR PLACED ON OUT-LOT #1, PROVIDING IT IS APPROVED BY THE BUILDING AND PLANNING COMMISSION.

5. 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.

6. 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 STRUCTURE OF A TEMPORARY CHARACTER BE USED AS A RESIDENCE.

7. THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE-STORY OPEN PORCHES AND GARAGES, SHALL BE NOT LESS THAN 672 SQUARE FEET IN THE CASE OF A ONE-STORY STRUCTURE NOR LESS THAN 480 SQUARE FEET IN THE CASE OF A ONE AND ONE-HALF, TWO, OR TWO AND ONE-HALF STORY STRUCTURE.

8. EASEMENTS AFFECTING ALL LOTS ARE RESERVED AS SHOWN ON THE RECORDED PLAT FOR UTILITY INSTALLATION AND MAINTENANCE.

9. NO OLD BUILDINGS SHALL BE MOVED ONTO ANY RESIDENTIAL LOT IN THIS PLAT, BUT ANY IMPROVEMENTS PLACED IN THIS PLAT SHALL BE NEW STRUCTURES BUILT OR ERECTED THEREON.

RECORDED.....MARCH 29.....1949.

Christ. w Elmendorf Rec