RESTRICTIONS APPLICABLE TO LANDS WITHIN THE PLAT OF RIDGE VIEW HEIGHTS NO. 1

The above and foregoing Plat of Ridge View Heights No. 1 is made subject to and upon the following restrictions, which are hereby imposed upon all lots within said subdivision, and which shall operate as perpetual restrictions and covenants running with the title to all of said lots, to-wit:

1. All lots in the tract shall be known and described as residential lots. No structure shall be erected, altered, placed or permitted to remain on any residential building plot other than one detached single-family dwelling, or one detached two-family dwelling, not to exceed one story in height, and a private garage and such other out-buildings incidental to the residential use of same.

2. No building shall be located nearer to the front lot line or nearer to the side street line than the building set-back lines shown on the recorded plat.

3. Easements, ten (10) feet in width, for installation and maintenance of utilities are hereby created as shown on this plat.

4. All lots in this subdivision shall be used for residential purposes only, and no commercial business shall be conducted or operated on any of said lots in this subdivision. Neither shall any noxious or offensive trade nor activity be carried upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

5. No trailer, basement, tent, shack, prefabricated house, garage, barn or other outbuilding erected or placed in this subdivision shall at any time be used as a residence, neither temporarily nor permanently, nor shall any structure of a temporary character be used as a residence.

6. No residence may be erected or placed on less than one (1) full lot as subdivided; provided, however, that Lot 24 may be subdivided into two (2) building lots and one (1) residence erected on each of said two (2) building lots.

7. The ground floor area of the main structure exclusive of one-story open porches and garages, shall be not less than one thousand one hundred (1,100) square feet. All detached buildings shall be located not less than one hundred (100) feet from the front building line.

8. No building or structure of any nature shall be located on any lot in this subdivision nearer than twenty (20) feet to any side lot line; provided, however, that for the purpose of this condition and restriction, all adjoining lots owned by one person and used as a site for the construction of a single residence shall be considered as one lot so that the restriction that no building shall be erected nearer than twenty (20) feet to the side line of any lot shall mean the side line of any one or more lots used by a single owner as a single building site,

9. Until such time as a sanitary sewer system shall have been constructed in the subdivision, a sanitary septic tank shall be installed for each dwelling erected in the subdivision, such septic tank to be of such type and construction and so located on the individual lots as to meet the requirements of the Indiana State Board of Health. No sanitary provision or device for sewage disposal shall be installed or permitted to remain in said subdivision unless of a type approved by the said State Board of Health. All sewage beyond septic tank to have a field absorption bed. The distance and length of this absorption bed to be approved by the County Health Board.

10. No livestock, domestic animals or poultry shall be allowed or permitted to be kept or raised in said subdivision; PROVIDED, however, that nothing contained herein shall prevent the owner of any lot from keeping any house pet or from keeping saddle horses not to exceed (2) in number.

11. There shall be no hunting or shooting of firearms within this subdivision.

12. All lot owners shall keep their lots free of garbage, sewage, ashes, rubbish, bottles, cans, waste material and other refuse and keep their premises clean and free of weeds and other objectionable matter at all times.

13. The residences located in this subdivision may be heated by oil, gas, electricity or coal. All coal furnaces must be stoker fired and must comply with the requirements of the Smoke Abatement Ordinance of the City of Evansville, Indiana. All outside oil and gas tanks must be buried below ground level.

14. 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 conformity and harmony of external design with existing structures in the subdivision and as to location of the building with respect to topography and finished ground elevation by a committee composed of Clarence J. Wiegand and Wilbur E. Reke, or by a duly appointed representative designated by a majority of the members of said committee. In the event of death or resignation of any member of said committee, the remaining member or members shall have full authority to approve or disapprove such design and location or to designate a representative with like authority. In the event said committee or its designated representative fails to approve or disapprove such design and location within thirty (30) days after such plans and specifications have been submitted to it, or in any event, if no suit to enjoin the erection of said building or the making of such alterations have been commenced prior to the completion thereof, such approval will not be required and this covenant will be deemed to have been fully complied with. 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 designated representative shall cease after June 1, 1973; thereafter the approval described in this covenant shall not be required unless prior to said date and effective thereon a written instrument shall be executed by the then record owners of a majority of the lots in this subdivision and duly recorded appointing a representative or representatives who shall thereafter exercise the same powers previously exercised by said committee.

15. Each of the provisions herein contained shall operate as a covenant running with the land, and all future conveyances of property in this plat shall be subject to the said restriction, limitations and covenants, whether or not the deed or other instrument passing title so states.

16. 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 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.

17. 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.

IN WITNESS WHEREOF, the undersigned owners and subdividers have hereunto set their respective hands and seals this 6th day of June, 1953 Clare A. Wiegand SEAL Clarence J. Wiegand Seal Helen Reke SEAL Wilbur E. Reke SEAL
Clare A. Wiegand Clarence J. Wiegand Helen Reke Wilbur E. Reke

STATE OF INDIANA } ss
COUNTY OF VANDERBURGH }

Before me, a Notary Public in and for said County and State, personally appeared the within named Clare A. Wiegand, Clarence J. Wiegand, Helen Reke, and Wilbur E. Reke, who acknowledged the execution of the above and foregoing to be their voluntary act and deed.
WITNESS my hand and Notarial Seal this 6th day of June, 1953 Rose Ziegler Worley, Notary Public
Rose Ziegler Worley, Notary Public

My Commission Expires 7-12-56
SEAL

RECEIVED FOR RECORD July 9, 1953, at 9:30 A.M. Paul E. Pedigo
Recorder Vanderburgh County