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PLAT, APPROVALS, RESTRICTIONS, LIMITATIONS AND PROTECTIVE COVENANTS FOR
SOUTHWOOD PARK, SECTION "H"
AN ADDITION TO THE CITY OF FORT WAYNE, INDIANA

We, Marcella Scheele, of Allen County, Indiana, being the owner of the following described real estate and Edwin F. Scheele, her husband:

DESCRIPTION

Beginning at the Southwest corner of Lot Number 14 of Hanna and Hamilton's Subdivision of Richardville Reserve on the East Bank of the Saint Mary's River as platted and recorded in Deed Record "F", page 481 in the Office of the Recorder of Allen County, Indiana; thence North along the West line of said Lot Number 14 of Hanna and Hamilton's Subdivision which West line is also the West line of Lots 184 to 187 inclusive of Southwood Park Section "C" Extended to the City of Fort Wayne, Indiana, a distance of 327.7 feet to an iron pin; thence Southeasterly by an included angle with the last described line of 86 degrees 03 minutes a distance of 224 feet to a stake; thence Northeasterly on a 15 degree curve with an intersection angle of 54 degrees 16 minutes a distance of 361.28 feet to a stake; thence continuing Northeasterly on the tangent of the above described line produced Northeasterly a distance of 22.44 feet to an iron pin on the West line of Old Mill Road; thence Southeasterly along the West line of Old Mill Road by an included angle with the last described line of 73 degrees 07 minutes a distance of 572.7 feet to an iron pin at the intersection of the West line of Old Mill Road and the center line of Pettit Avenue in the City of Fort Wayne, Indiana; thence West by an included angle with the last described line of 57 degrees 06 minutes along the center line of Pettit Avenue produced West, (which produced center line is also the South line of Lot Number 14 of Hanna and Hamilton's Subdivision of Richardville Reserve on the East Bank of Saint Mary's River) a distance of 658.8 feet to the place of beginning, containing 4.59 acres of land more or less;

hereby cause said real estate to be platted into lots, streets, and easements in accordance with the plan and plat, hereon shown, to be known as Southwood Park, Section "H", an addition to the City of Fort Wayne, Allen County, Indiana, subject to the easements, protective covenants, restrictions and limitations, attached hereto and made a part hereof by reference.

LOTS: Lots in said Addition are numbered one (1) to thirteen (13) consecutively and inclusive, and dimensions in feet and decimal parts of a foot are noted on all lots, streets and easements on the face of the plat. All lots of this plat are subject to the provisions of building setback lines as indicated on the face of the plat.

The lots in said addition shall be subject to the following conditions: No intoxicating liquors shall be sold on any lot in said addition. All lots in said addition shall be used for residential purposes only. Any dwelling house that may be erected on any lot in said addition to front on Old Mill Road shall cost in actual cash at least \$20,000.00. Any dwelling house that may be erected on any lot in said addition to front on Sherwood Terrace shall cost in actual cash at least \$16,000.00. Any dwelling house that may be erected on any lot in said addition to front on Pettit Avenue shall cost in actual cash at least \$12,000.00. Any buildings that may be erected exclusive of porches, verandas, bays, or solariums shall be built back of the building lines that have been established on the recorded plat of said addition. Only one dwelling house shall be erected on any lot, and same shall be for single family occupancy.

No fences or continuous hedge shall be constructed on said premises nearer to the front property line than the aforesaid building line, nor shall any billboards or any other advertising signs or devices be erected on said premises.

All lots in the addition shall be subject to easements over the rear five feet. Lots Five and Eight shall be subject to easements over their east five feet. Lots Seven and Thirteen shall be subject to easements over their west five feet, which said easements are for any or all of the following purposes: For the erection, construction and maintenance of poles, wires and conduits, and the necessary or proper attachments in connection therewith for the transmission of electricity and for telephone and similar purposes; for the construction and maintenance of surface storm water drains, land drains, public and private sewers, pipe lines supplying water, gas and heat but for no other purpose. The owners of any lot in said addition or any local public utility shall, when necessary, have the right to enter and permit others to enter upon said reserved strips of land for any of the purposes for which said easements are reserved, using care, however, to restore the said premises to the same condition in which they existed at the time of such entry.

Lot Eight shall also be subject to a ten foot sewer easement as located on the recorded plat of the addition and which is referred to in Miscellaneous Record 69, Page 160 in the Allen County Recorder's Office.

The aforesaid restrictions cannot be modified for a period of five years from the date of recording the plat of said Southwood Park Addition, Section "H", and thereafter only by petition to the Allen Circuit Court of said Allen County, signed by at least three-fourths of all of the property owners in said addition. A violation of these restrictions shall not give the right of re-entry, but shall give to any property owner in said addition injuriously affected thereby, a cause of action for damages and injunctive relief.

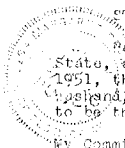
These conditions and limitations shall be considered as part of each deed and contract of sale of each of said lots in said Southwood Park Addition, Section "H", without being written therein.

DATED _____, 1951.

Marcella Scheele
Marcella Scheele

Edwin F. Scheele
Edwin F. Scheele

COUNTY OF Allen
STATE OF INDIANA



Before me a Notary Public in and for the said County and State, appeared in person on this _____ day of _____, 1951, the aforementioned Marcella Scheele and Edwin F. Scheele, her husband, and acknowledged the foregoing platting and covenants to be their voluntary act and deed.

My Commission expires _____

Margaret Pean
Notary Public, Margaret Pean

CERTIFICATE OF SURVEY

I, the undersigned, Leon J. Smith, Civil Engineer registered in the State of Indiana, hereby certify that the plat of Southwood Park Section "H", above shown, presents accurately the form and dimensions of all lots, streets and public easements and, that the said plat lies wholly within the land described.

Leon J. Smith
Leon J. Smith
Registered Professional Civil Engineer



G. W. Randall
Chumney & Griffiths

BOARD OF PUBLIC WORKS

February 6 - 1951

FILED
FEB 11 1951
Allen County, Indiana

Herman G. Wade, Pres
John P. ...
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...
...

CITY PLANNING COMMISSION

Herman G. Wade
February 5 1951