

No. 236102 Filed this 20th., day of July A.D., 1960 at 10:10 o'clock A.M.  
DECLARATION OF RESTRICTIONS

PERTAINING TO  
COLUMBUS ORCHARD SUBDIVISION

THIS DECLARATION made this 19th day of July, 1960, by  
Douglas A. Dulaney and Melba R. Dulaney, his wife: W TNESSETH:

1. That said Douglas A. Dulaney and Melba R. Dulaney,  
his wife, are the owners of the following described real estate,  
to-wit:

Lots One and Two (2) in Block One (1); Lots  
One (1) and Three (3) in Block Two (2); and  
Lots One (1) and Two (2) in Block Three (3),  
all in Columbus Orchard Subdivision, a Sub-  
division of part of the West one-half of Section  
Thirty-two (32) in Township One (1) South of the  
Base Line, in Range Eight (8) West of the 4th  
Principal Meridian, in the County of Adams and  
State of Illinois;

and hereby declare and covenant with all subsequent owners of said  
Lots in said Subdivision, and grantees, lessees, assigns, devisees  
and heirs and all parties claiming by or through or under them  
that the following restrictions shall run with the land and shall  
apply to all lots hereinabove described in this Subdivision and  
each subsequent owner, by his or her acquisition or acceptance of  
title to one or more of said lots, covenants that each of the lots  
hereinabove described shall be restricted to a one family residence  
only and not more than one main building shall be erected on any one  
lot. That no building shall be erected on any one lot that exceeds  
one story in height, except that so-called "split level". One  
family residence of suitable design shall be permissible and one  
story and a half Cape Cod residence of suitable design shall be  
permissible, provided the same shall have no dormer projecting from  
the roof on the street side.



2. That every residence shall have an attached garage or attached carport of suitable design.

3. That each dwelling shall contain a minimum of 1800 square feet, which shall include the attached garage or attached carport but shall exclude the basement.

4. That the exterior side walls of every dwelling shall be of standard material with at least one-third of the exterior surface being brick or genuine stone and the remainder of the exterior surface shall be either beveled siding or the equivalent thereof but, in no event shall roll covering, imitation brick, imitation siding, asbestos single or wood shingle be permitted and the same is hereby strictly prohibited.

5. That no fence shall be erected on any lot in excess of a height of four and one-half ( $4\frac{1}{2}$ ) feet.

6. Fuel tanks and exterior tanks shall be permitted until such time as city gas is available. Thirty days after the availability of city gas, exterior tanks shall be prohibited.

7. That no lot shall be re-subdivided nor shall a fractional part of any lot be sold whereby the remaining frontage is less than one hundred (100) feet.

8. That on every lot whereon a dwelling is erected, no part of such lot shall be sold separately which is less than fifteen (15) feet from any structure.

9. That no one will be permitted to live on any lot in a temporary building or tent erected or placed thereon, or in any partially erected residence.

10. That the owner of each and every lot shall give all necessary easements to and for the installation and maintenance of any and all public utilities as recorded on the plat of this subdivision.



11. That no provision shall be made on any lot for the raising or keeping of poultry or rabbits, or for the housing of horses, cows, swine, sheep, goats or other livestock, nor shall any lot be used for commercial agricultural purposes.

12. That the owner of each and every lot shall keep all weeds cut thereon, rubbish cleared and disposed of, dead trees removed to the end that each and every lot shall be maintained in a presentable condition.

13. That all rubbish and garbage containers on each and every lot shall be concealed from public view.

14. That no structure of temporary character or trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently.

15. That no noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighbors.

16. No signs of any kind shall be displayed to the public view on any lot, except the masonry subdivision identification marker and one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent or signs used by a builder to advertise the property during the construction and sales period.

17. That the restrictions established by this declaration may be changed by a duly recorded instrument signed and accepted by the ten owners of the majority or more of lots hereinbefore described.

18. All the foregoing provisions and restrictions shall continue to remain in full force and effect at all times until January 1, 1980 and thereafter if continued as provided in the foregoing paragraph 17.



IN WITNESS WHEREOF, this Declaration has been executed in duplicate by the parties hereto under their respective hands and seals, all as of the day and year first above written.

Douglas A. Dulaney (SEAL)

Melba R. Dulaney (SEAL)

State of Illinois )  
                          ) SS.  
County of Adams )

I, Andrew C. Schnack, Jr, a Notary Public in and for said County and State, do hereby certify that Douglas A. Dulaney and Melba R. Dulaney, his wife, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act and deed for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 19<sup>th</sup> day of \_\_\_\_\_, A.D. 1960.



Andrew C. Schnack, Jr.  
Notary Public