

ROSE SUB  
1st Add

RESTRICTIVE COVENANTS

ROSE SUBDIVISION, FIRST ADDITION

A Subdivision in Adams County, Illinois

STATE OF ILLINOIS )  
                          ) ss  
COUNTY OF ADAMS )

OWNERS CERTIFICATE

Charles E. Rose and Helen E. Rose, husband and wife, being the legal owners of the entire Rose Subdivision, First Addition, a subdivision of a part of the East one half of the Southeast Quarter of Section 6 in Township 1 South of the Base Line, Range 7 West of the Fourth Principal Meridian Adams County being more particularly bounded and described as follows: to wit: Commencing at the northeast corner of said southeast quarter, thence N 90° 00' 00" West 802.15 feet along north line of said southeast quarter, thence South 0° 00' 00" West 38.794 feet to point of beginning, thence South 0° 00' 00" West 208.71 feet to a point, thence South 90° 00' 00" West, 526.05 feet to a point on the West line of the East one half of the Southeast one quarter of Section Six (6), thence North 01° 05' 00" West along said line 208.71 feet to a point on the south right-of-way of old State Route 24, thence North 90° 00' 00" East 530 feet along said right-of-way to point of beginning and containing 2.5299 acres more or less, inclusive; hereby provide that all conveyances of property hereafter made by the present or future owners of any of the lands included in the aforesaid subdivision shall be taken and understood as if incorporating in all such conveyances without repeating the same, the following restrictions and covenants:

RESTRICTIONS AND COVENANTS

1. No lot shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any lot other than "one detached single family dwelling not to exceed 2 1/2 stories in height excluding basement or foundation, and a private garage, which may ~~now~~ be detached from the residence, for not more than two cars."
2. 50 feet minimum building setback lines from street property line and ten feet from side lot lines, the 50 feet to prevail over the setback line shown on the plat if it therein varies.
3. No building shall be permitted of less than 960 square feet, exclusive of attached porches or garages and basements, except one neat outbuilding not to exceed 16 feet by 24 feet shall be permitted behind the house in the back yard.
4. The work of construction of any building or structure shall be prosecuted diligently and continuously from the time of commencement until the exterior construction shall be fully completed and the interior construction is substantially completed, and no such building or structure shall be occupied during the course of original exterior construction or until made to comply with the restrictions and conditions set forth herein. No excavation except as necessary for the construction of improvements shall

be permitted. All trees are to be left except those reasonably needed to be cut for safety purposes and to avoid being in the way for construction.

5. Concrete bricks and or blocks will not be allowed as exterior construction. Where brick is utilized on all homes upon which used the brick line shall be a maximum of one foot of ground level in front. Outside must be of finish material.

6. 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 neighborhood; weeds on vacant lots shall be cut during the summer months. All lots shall be kept mowed of grass, and contained in a neat orderly manner.

7. Easements for installing and maintenance on utilities and drainage facilities are reserved as shown on plat. Within these easements, no structure, fence, planning, or other materials shall be placed or permitted to remain which may change the direction or flow of water through drainage channels within the easements, or which may obstruct or retard the flow of water through the drainage channels in the easements. The easement area of each lot, and all improvements on it shall be maintained continuously by the owner of the lot except for improvements for which a public authority or utility company is responsible.

8. No structure of a temporary character, trailer, tent, shack, barn or outbuilding shall be used on any lot at any time for a residence either permanently or temporarily.

9. No sign of any kind shall be displayed to the public view on any lot except "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 the builder during the construction and sales period.

10. No animals, livestock, poultry of any kind shall be raised, bred, or maintained for any commercial purposes, and domestic animals shall be limited to two dogs and two cats.

11. No vegetable gardens either for private or commercial use will be permitted within the subdivision, except for a garden for private use back of the house.

12. No lots 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 materials shall be kept in a clean and sanitary manner. Sewage disposal systems shall consist of septic tanks or when and if public sewage facilities become available shall consist of the use of public sewage facilities. All sewage facilities shall conform to and meet the requirements of the Adams County Board of Health.

13. No lot or street shall be used for commercial or private repair of any vehicle other than temporary repairs that can be completed with "two" days, and no wrecked, junk, disabled or non-use vehicles shall remain on any lot or street for more than "two" days.

14. No fence, wall, hedge, or shrub planting which obstructs sitelines at elevations between "two" feet and "six" feet above the roadway shall be placed or permitted to remain with the

travel area formed by the street property lines and the driveway property lines or allowing connecting them of points "ten" feet from the intersection of the street and driveway property line. No tree shall be permitted to remain within such distance of such street and driveway property lines unless the foliage line is maintained at a sufficient height to prevent any obstructions at siteline.

15. These restrictions and covenants shall run with the land and shall be binding upon all parties and persons claiming them for a period of 30 years from the date of these restrictions and covenants are recorded, and shall be automatically extended for successive periods of ten years, and unless an instrument signed by a majority of the then owners of the lot has been recorded agreeing to change said restrictions and covenants in whole or in part.

16. Enforcement shall be by proceeding at law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain violation or to recover damages.

17. Invalidation of any one or more of these restrictions and covenants by judgment or court order shall be no way affect any of the other provisions, which shall remain in full force and effect.

IN WITNESS WHEREOF, this instrument has been executed by the undersigned owners of the aforesaid subdivision.

Dated at Quincy, Illinois, this 10th day of July, 1975.

  
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Charles E. Rose

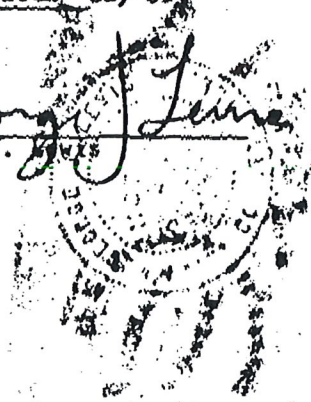
  
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Helen E. Rose

Subscribed and sworn to before me this 10th day of July, 1975.

  
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George J. Lewis



Prepared by: George J. Lewis

AFFIDAVIT

STATE OF ILLINOIS )  
                          ) ss  
COUNTY OF ADAMS )

I, Hilda F. Wand, am a resident of the City of Quincy, Adams County, Illinois. I hereby affirm that I am the surviving spouse of Leonard Wand, who died on March 10, 1975. I further affirm that there are no Federal Estate Taxes due and owing in said estate, that all Illinois Inheritance Taxes have been paid, and that there are sufficient assets in said estate to pay all attorney fees, Court costs, and other costs of administration.

Hilda F. Wand  
Hilda F. Wand

I, Hilda F. Wand, do solemnly swear upon my oath that I have read the foregoing Affidavit by me subscribed, that I know the content therein, and that the same is true in substance and in fact to the best of my knowledge.

Hilda F. Wand  
Hilda F. Wand

Subscribed and sworn to before me this 8 day of July, 1975.

Lawrence W. Blitch  
Notary Public

INDEX TO:



A part of the Northwest Quarter of Section Twenty-three (23) in Township One (1) South of the Base Line and in Range Nine (9) West of the Fourth Principal Meridian, Adams County, Illinois, being more particularly bounded and described as follows, to-wit: Commencing at a point on the centerline of North Fifth Street One Thousand Seventy-nine and eighty hundredths (1079.80) feet North of the South line of the North one-half of said Section, thence North 00° 14' 19" East along the centerline of said North Fifth Street Ninety and Five hundredths (90.05) feet, thence South 88° 19' 17" East Three Hundred (300) feet, thence South 00° 14' 19" West parallel with the centerline of said North Fifth Street Eighty-three and eighty hundredths (83.80) feet, thence North 89° 31' 47" West Three Hundred (300) feet to the point of beginning, containing 0.60 acres inclusive of Road right of way along the West side thereof, subject to Right of Way Dedication recorded in Book 5 of, Right of Ways, at page 84,