

DECLARATION OF RESTRICTIONS OF VILLAGE SIDE PARK  
SUBDIVISION TO THE COUNTY OF ADAMS STATE OF INDIANA  
BEING A PART OF THE SOUTHWEST ¼ OF SECTION 4, TOWNSHIP 25,  
RANGE 14 East.

This Declaration made this \_\_\_\_ day of May, 1979 by Biggs Inc., an Indiana Corporation by its duly authorized officers, owner of said real estate described in the Final Plat of said Sub-Division and said Biggs Inc., does hereby cause said Real Estate to be platted into lots, front and side yard building set back lines, and easements in accordance with the plan and plat attached hereto to be known as Village Side Park to the County of Adams, State of Indiana, subject to the easements, protective covenants, restrictions and limitations contained hereon.

1. Each of the above-platted lots shall be used for single family residential purposes only, and no building shall be permitted other than one single family dwellings not to exceed two stories in height, and a private garage for not more than three (3) cars, and not more than one utility building.

2. The ground floor area of any dwelling constructed on each of said lots shall not consist of less than 1,000 square feet of living area in the case of a one-story structure, and not less than 650 square feet of living area in the case of a structure of more than one-story. The square foot limitations with regard to dwelling size shall be exclusive of any breeze-way, porch, garage, out-buildings, or basements.

3. Each residence will have an attached garage with a minimum of 250 square feet.

4. Nuisances: No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon that may be or may become an annoyance or nuisance to the neighborhood. However, it is recognized

that the adjoining property is being utilized for Agricultural purposes and the owners, for their assessors and assigns, hereby agrees that no individual or collective injunctive action shall be filed against nuisances such as noise, dust, or odor arising from normal or minor agricultural operations which may abut, adjoin or be near the lots described hereinabove, or against any intensive live-stock operation which may now or later exist, so long as said livestock operation is in conformance with regulations set forth in the Adams County Zoning Ordinance. No live-stock, except house-hold pets, such as dogs or cats, shall be maintained on any lot in this subdivision.

5. Each residence shall have a minimum of 10 feet wide hard surface drive from the street curb to the residence.

6. No structure of a temporary character, trailer, mobile home, basement, tent, shack, garage, barn or other outbuilding shall be used at any time as a resident either temporarily or permanently.

7. RESTRICTIONS SEPARATELY ENFORCED: Invalidation of any one of these covenants by judgment or court order shall in no wise effect any of the other provisions, which shall remain in full force and effect.

8. Any commercial use shall not be allowed, particularly activities such as home beauty shops, garage repair and or commercial sales.

9. Assesory buildings shall in no case be longer than attached garages and should conform to the home design, and be located away from easements in a manner not to restrict the vision of adjoining lots.

10. Yard fences shall not obstruct the adjoining lot vision and must be kept clear of all lot easements.

11. Each dwelling shall have the exterior completed within one year.

VIOLATION AND RIGHT TO ENFORCE. In Addition to the rights and remedies granted the proper enforcement officials of Adams County, Indiana.

the owners, present and future of any of said lots, their legal representatives, successors, grantees and assigns may enforce any and all of the foregoing covenants, restrictions and limitations by injunction or otherwise.

IN WITNESS WHEREOF, the Owner has hereunto executed this Declaration of Restrictions on the date hereinabove set forth.

OWNER

Biggs Inc.,

BY: \_\_\_\_\_  
Ralph E. Biggs, its President

ATTEST:

\_\_\_\_\_  
Lewis L. Smith, its Secretary

STATE OF INDIANA )  
COUNTY OF ADAMS )SS:

On this \_\_\_ day of May, 1979, before me appeared Biggs Inc., by Ralph E. Biggs, and Lewis L. Smith, to me personally known, who being by me duly sworn did say: That Ralph E. Biggs is the President and Lewis L. Smith is the Secretary of Biggs Inc., an Indiana Corporation and that the foregoing Declaration of Restrictions was signed and sealed by and on behalf of said corporation by authority of its Board of Directors and said Ralph E. Biggs and Lewis L. Smith, acknowledge said Declaration of Restrictions to be the free act and deed of said corporation.

My commission expires:  
March 14, 1981

\_\_\_\_\_  
TYPED OR PRINTED SIGNATURE



This instrument prepared by Lewis L. Smith, member of the Adams County Bar Association.