

FIVE ACRE

conveyed, together with the free ingress, egress and regress to and for the said Pauline J. Filson, her heirs and assigns, their tenants and undertenants, occupiers or possessors of the lot herein described at all times and seasons hereafter, into, along, upon and out of said right-of-way in common with the said James A. Filson, et al, their heirs and assigns, tenants or occupiers of the said land not herein conveyed.

BEING the same premises title to which became vested in Pauline J. Filson, now Pauline F. Hetrick, one of grantors herein by Deed of Robert Koehler and Rosamond V. Koehler dated August 9, 1976 and recorded in the Office of the Recorder of Deeds of Huntington County in Deed Book 132 at Page 174 on August 9, 1976.

UNDER AND SUBJECT NEVERTHELESS to the following conditions and restrictions to which the hereby granted lot or parcel of ground shall be and remain subject:

1. This lot shall not be occupied or used for any purpose other than private residential purposes.
2. No professional, trade, business or commercial activity nor part thereof shall be conducted on this lot.
3. No trailers or mobile homes, tents, shacks, basements or unfinished houses shall be used as a place of habitation.
4. No buildings shall be erected upon this lot without the prior approval of the plans and specifications therefor by the said James A. Filson, et al, or their designated representative.
5. Any garage erected must be the same architectural style as the house.
6. No livestock or animals of any kind, except cats or dogs, shall be kept on this lot.
7. Fuel tanks, if located outside the buildings, must be placed underground.
8. No outside toilets or any structures other than a dwelling and private garage in conjunction therewith shall be erected on this lot.
9. The dwelling erected on this lot must be set back at least 40 feet from the right-of-way line and at least 50 feet from adjoining property lines.

AND THE GRANTEE, for herself, her heirs and assigns, by acceptance of this Indenture, agrees with the said James A. Filson, et al, their heirs and assigns, that said restrictions and conditions shall be and remain covenants running with the land.