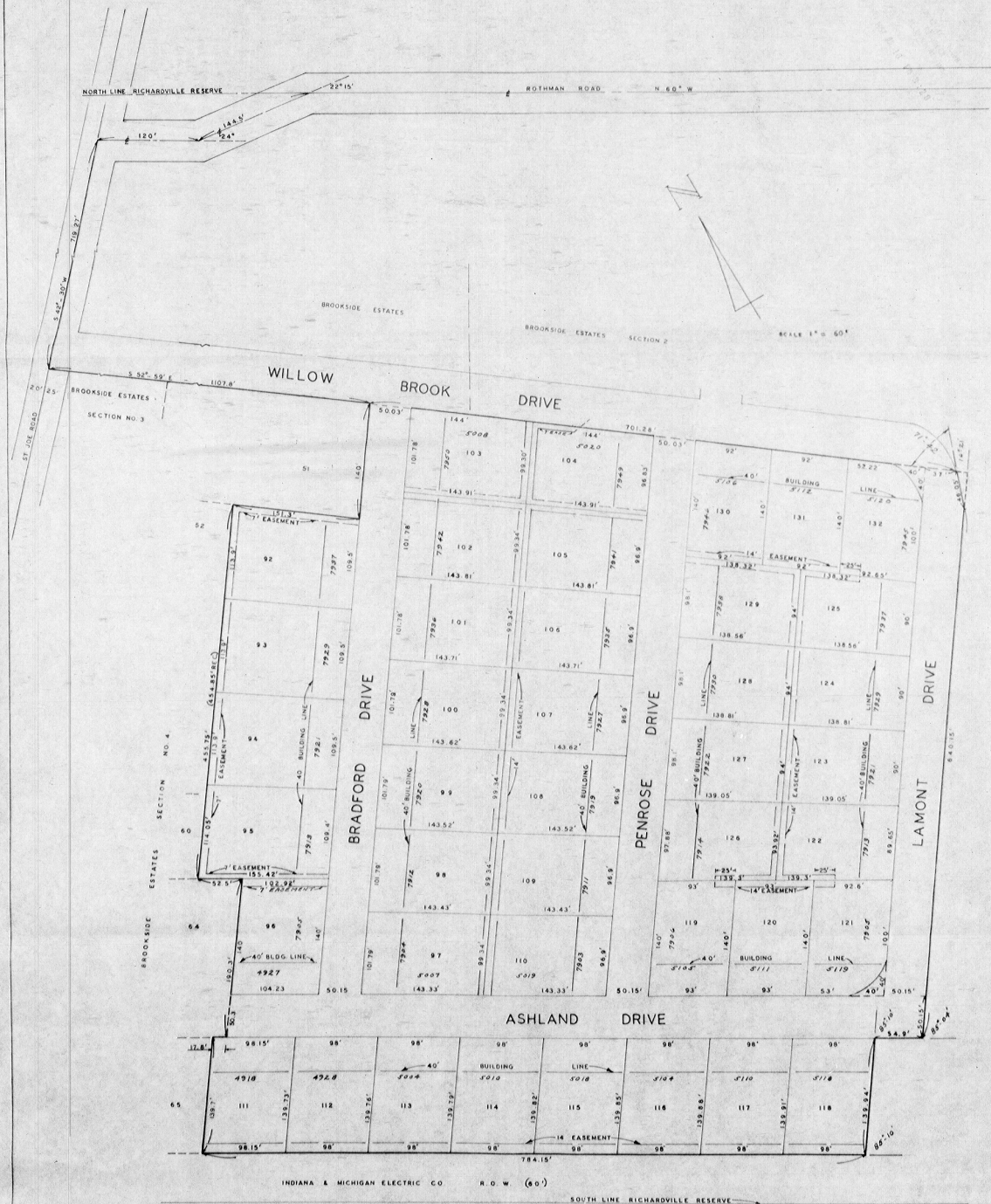


BROOKSIDE ESTATES, SECTION NO. 6.

5906

Book 23 Page 150-87



APPROVED BY THE BOARD OF COUNTY COMMISSIONERS, ALLEN COUNTY, INDIANA.

James Cook
J. G. Newberry
Carroll Knight

FILED
 JUL 11 1957
 BOARD OF COMMISSIONERS
 OF THE COUNTY OF ALLEN

NOT ENTERED FOR TAXATION
 JUL 10 1957
John R. ...
 REGISTERED LAND SURVEYOR NO. 9920

SURVEYED AND PLATTED THIS 10TH DAY OF JULY, 1957. I HEREBY CERTIFY THIS SURVEY AND PLAT OF SAME TO BE CORRECT.

REGISTERED LAND SURVEYOR NO. 9920



FOR RATIFICATION + APPROVAL
 See Misc. Rec. 236 - Pg 100 - # 1693 -

OF THE COUNTY OF ALLEN

DESCRIPTION

BEING A SUBDIVISION OF PART OF RICHARDVILLE RESERVE, LYING EAST OF THE ST. JOE ROAD IN TOWNSHIP 31 NORTH, RANGE 13 EAST, ALLEN COUNTY, STATE OF INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF THE ROTHMAN ROAD BY THE CENTERLINE OF THE ST. JOE ROAD, AS PRESENTLY ESTABLISHED, IN TOWNSHIP 31 NORTH, RANGE 13 EAST, IN ALLEN COUNTY, STATE OF INDIANA; THENCE SOUTH 42 DEGREES 30 MINUTES WEST ALONG THE CENTERLINE OF SAID ST. JOE ROAD A DISTANCE OF 719.27 FEET TO THE SOUTH LINE OF WILLOW BROOK DRIVE, WHICH LINE IS ALSO THE NORTH LINE OF BROOKSIDE ESTATES, SECTION NO. 3 AND SECTION NO. 4; THENCE SOUTH 52 DEGREES 59 MINUTES EAST ALONG SAID SOUTH LINE OF WILLOW BROOK DRIVE A DISTANCE OF 1107.8 FEET TO THE NORTHEAST CORNER OF LOT NO. 51 IN BROOKSIDE ESTATES SECTION NO. 4, FOR THE POINT OF BEGINNING OF BROOKSIDE ESTATES, SECTION NO. 6 AS HEREBY DESCRIBED; THENCE SOUTH AND WESTERLY ALONG THE EAST LINE OF SAID LOT, 140 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTHWESTERLY A DISTANCE OF 151.2 FEET TO THE NORTHEAST CORNER OF LOT NO. 52 IN SAID BROOKSIDE ESTATES, SECTION NO. 4; THENCE SOUTHWESTERLY A DISTANCE OF 455.75 FEET (454.85 FEET RECORDED) TO THE SOUTHEAST CORNER OF LOT NO. 50 IN SAID BROOKSIDE ESTATES, SECTION NO. 4; THENCE SOUTHWESTERLY A DISTANCE OF 140 FEET TO THE SOUTHWEST CORNER OF SAID LOT NO. 50; THENCE NORTHWESTERLY A DISTANCE OF 17.9 FEET TO THE NORTHEAST CORNER OF LOT NO. 52 IN SAID BROOKSIDE ESTATES, SECTION NO. 4; THENCE SOUTHWESTERLY A DISTANCE OF 800.2 FEET TO A POINT ON THE SOUTH LINE OF ASHLAND DRIVE; A DISTANCE OF 139.7 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT NO. 50 AND TO THE NORTH LINE OF THE INDIANA AND MICHIGAN ELECTRIC COMPANY RIGHT-OF-WAY; THENCE SOUTH- EASTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 784.15 FEET; THENCE NORTHEASTERLY WITH A DEFLECTION ANGLE TO THE LEFT OF 85 DEGREES 10 MINUTES, A DISTANCE OF 139.34 FEET; THENCE SOUTHEASTERLY WITH A DEFLECTION ANGLE TO THE RIGHT OF 85 DEGREES 10 MINUTES A DISTANCE OF 54.9 FEET; THENCE NORTHWESTERLY WITH A DEFLECTION ANGLE TO THE LEFT OF 85 DEGREES 04 MINUTES A DISTANCE OF 640.15 FEET; THENCE NORTHWESTERLY WITH A DEFLECTION ANGLE TO THE LEFT OF 86 DEGREES 21 MINUTES A DISTANCE OF 45.05 FEET TO THE SOUTH LINE OF WILLOW BROOK DRIVE; THENCE NORTHWESTERLY WITH A DEFLECTION ANGLE TO THE LEFT OF 71 DEGREES 42 MINUTES A DISTANCE OF 701.28 FEET TO THE PLACE OF BEGINNING.

THENCE NORTHWESTERLY ON SAID SOUTH LINE OF ASHLAND DRIVE

WE, THE UNDERSIGNED, NELSON L. WITMER AND HELEN B. WITMER, HUSBAND AND WIFE, CERTIFY THAT WE ARE THE LEGAL OWNERS OF THE LAND HEREIN DESCRIBED AND THAT WE DO HEREBY SUBDIVIDE AND PLAT THE SAME INTO LOTS AND STREETS, TO BE KNOWN AS LOTS NUMBERED 92 TO 132, INCLUSIVE, BROOKSIDE ESTATES, SECTION NO. 6, AN ADDITION TO THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA, THIS 14th DAY OF JULY, 1957.

Nelson L. Witmer
Helen B. Witmer

STATE OF INDIANA, COUNTY OF ALLEN, SS: BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, *Nelson L. Witmer* AND *Helen B. Witmer*, THE ABOVE NAMED OWNERS, THIS 14th DAY OF JULY, 1957 AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING PLAT, THE SAME TO BE THEIR VOLUNTARY ACT.

MY COMMISSION EXPIRES *March 15, 1960*
Nelson Rufus Moore
 NOTARY PUBLIC

RESTRICTIONS

- IT IS HEREBY UNDERSTOOD AND AGREED BY THE BUYERS OF LOTS IN BROOKSIDE ESTATES, SECTION NO. 6, AN ADDITION TO THE CITY OF FORT WAYNE, THAT SAID LOTS WILL BE SUBJECT TO THE FOLLOWING RESTRICTIONS, WHICH SHALL RUN AS COVENANTS WITH THE LAND:
- (1) ALL LOTS SHALL BE FOR RESIDENTIAL USES ONLY. NOT MORE THAN ONE (1) ONE-FAMILY DWELLING MAY BE ERRECTED ON ANY OF THE LOTS.
 - (2) ALL LOTS SHALL BE SUBJECT TO A BUILDING SET-BACK PROVISION, AS INDICATED BY THE BUILDING LINES SHOWN ON THE FACE OF THE PLAT. THE SIDE LINE CLEARANCE FOR ALL STRUCTURES SHALL BE NOT LESS THAN TEN (10) FEET ON ANY LOT.
 - (3) NO DWELLING HOUSE ON ANY LOT SHALL HAVE AN AREA OF LESS THAN 1050 SQUARE FEET ON THE FOUNDATION, EXCLUSIVE OF OPEN PORCHES, BREEZEWAYS AND GARAGES. EACH DWELLING IN THIS ADDITION MUST HAVE A GARAGE, EITHER ATTACHED OR SEPARATE, THE FOUNDATION AREA OF WHICH SHALL BE SUFFICIENT TO HOUSE OR ACCOMMODATE A MINIMUM NUMBER OF TWO (2) AUTOMOBILES.
 - (4) ALL EXTERIOR MATERIALS USED IN THE CONSTRUCTION OF DWELLING HOUSES, GARAGES OR ANY OTHER BUILDINGS ON ANY OF THE LOTS IN THIS ADDITION, SHALL BE NEW AND SUBSTANTIAL SUBSTANCE AND SHALL NOT INCLUDE TIN OR TAR PAPER OR SIMILAR SIDING PROTECTIONS. THE FOUNDATIONS OF ALL STRUCTURES ERRECTED IN THIS ADDITION SHALL BE OF POURED CONCRETE AND NO CEMENT BLOCK OR CINDER BLOCK SHALL BE PERMITTED TO BE VISIBLE ON THE EXTERIOR OF ANY STRUCTURE.
 - (5) ALL OIL TANKS IN CONNECTION WITH ANY BUILDINGS IN THIS ADDITION MUST BE BURIED OR CONCEALED.
 - (6) NO LOT MAY BE USED FOR THE STORING OF JUNK, SCRAP MACHINERY, AUTO PARTS OR WASTE MATERIALS OF ANY KIND.
 - (7) NO LOT MAY BE USED FOR THE FEEDING OR HARBORING OF CATTLE OR HORSES, OR FOR ANY OTHER PURPOSE RESULTING IN OFFENSIVE ODORS OR GROUND CONDITIONS.
 - (8) UNTIL SUCH TIME AS A PUBLIC WATER SUPPLY AND A PUBLIC SEWERAGE SYSTEM ARE AVAILABLE, EACH DWELLING ERRECTED IN THIS ADDITION SHALL HAVE A PRIVATE WELL AND A PRIVATE SEWAGE DISPOSAL SYSTEM, THE LOCATION AND CONSTRUCTION OF WHICH, SHALL BE APPROVED IN WRITING, EITHER INDIVIDUALLY OR COLLECTIVELY, BY THE INDIANA STATE BOARD OF HEALTH.
 - (9) A VIOLATION OR ATTEMPTED VIOLATION BY AN OWNER OR OCCUPANT OF ANY LOT IN BROOKSIDE ESTATES, SECTION NO. 6, OF ANY ONE OR MORE OF THE ABOVE RESTRICTIONS, SHALL BE TO ANY OTHER OWNER OR OCCUPANT THEREBY INJURIOUSLY AFFECTED, A CAUSE FOR ACTION AT LAW OR IN EQUITY FOR DAMAGES AND/OR INJUNCTIVE RELIEF.
 - (10) ALL CULVERTS MUST BE PLACED IN ROAD DITCH AND CEMENTED BEFORE CONSTRUCTION BEGINS.