

RESTRICTIONS ON THE USE OF LOTS IN  
H-I ACRES SUBDIVISION - FIRST PLAT

KNOW ALL MEN BY THESE PRESENTS that the undersigned  
Hayward T. McMurray and Isabelle H. McMurray, husband and wife,  
of the Township of Divernon in Sangamon County, Illinois, being  
the owners of H-I Acres Subdivision - First Plat, as platted by  
the Plat recorded in the Recorder's Office of Sangamon County,  
Illinois, in Book 20 of Plats at page 6 and being a subdivision  
of part of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter  
(SE $\frac{1}{4}$ ) of Section Sixteen (16), Township Thirteen (13) North, Range  
Five (5) West of the Third Principal Meridian in Sangamon County,  
Illinois, in consideration of the purchase or other acquisition  
from them of any part or portion of any real estate hereinafter  
described and as an inducement thereto, hereby do covenant and  
agree with each and every purchaser or grantee of any part of,  
said real estate and with his and their heirs and assigns, as  
covenants running with the land as follows:

PART B - AREA OF APPLICATION

B-1. The residential area covenants in Part C below  
in their entirety shall apply to all lots in said H-I Acres Sub-  
division - First Plat.

PART C - RESIDENTIAL AREA COVENANTS

C-1. No lot or site shall be used except for residen-  
tial purposes. No building shall be erected, altered, placed  
or permitted to remain on any lot or site in excess of two (2)  
stories in height, nor shall any garage provide space for more  
than two (2) cars.

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C-3. No dwelling shall be permitted on any lot or site at a cost of less than twenty-five thousand and no/100 (25,000.00) dollars based upon cost levels prevailing on the date these covenants are recorded, it being the intent and purpose of this covenant to assure that all dwellings shall be of a quality of workmanship and of materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the minimum permitted dwelling size. The foundation area of the main structure, exclusive of one story open porches and garages, shall not be less than one thousand (1,000) square feet for any dwelling.

C-4. No building, or any part thereof, nor fence or wall shall be located on any lot or site nearer than thirty (30) feet to any street line in said subdivision, all as shown by minimum setback lines on said Plat. No building shall have a total width, including attached garage or carport, greater than eighty (80%) per cent of the lot width at the main building setback line. No building, or any part thereof, shall be located nearer than five (5) feet to a side line of any interior lot or site, except that a detached garage or other permitted accessory building which must be located not less than forty (40) feet from the main building setback line, may be located not nearer than three (3) feet from a side line of an interior lot or site. For the purposes of this covenant, eaves, steps and open porches shall not be considered as a part of a building; provided, however, that this shall not be construed to permit any portion of a building on one lot or site to encroach upon another lot or site.

C-5. No lot or lots shall be re-subdivided into, nor shall any dwelling be erected or placed on, any lot or site having a width of less than one hundred (100) feet at the main building front setback line nor shall any dwelling be erected

or placed on any lot or site having an area of less than twelve thousand (12,000) square feet.

C-6. Easements for drainage and for installation and maintenance of utilities are reserved as shown on said Plat.

C-7. No noxious or offensive activity shall be carried on upon any lot or site, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

C-8. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot or site at any time as a residence, either temporarily or permanently; a dwelling shall not be occupied until its exterior is completed.

C-9. No sign of any kind shall be displayed to public view on any lot or site except one professional sign of not more than one (1) square foot, one sign of not more than five (5) 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.

C-10. No oil drilling, oil development operation, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot or site, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot or site. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot or site.

C-10½. Tanks, pipes and other apparatus for the storage or use of liquid or gaseous fuels on any lot or site shall be located behind the dwelling thereon and shall be concealed from view from the street or streets adjacent thereto.



C-11. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot or site, except that dogs, cats or other household pets may be kept on any lot or site provided that they are not kept, bred or maintained for any commercial purpose.

C-12. No lot or site 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 material shall be located at the rear of the dwelling and shall be kept in a clean and sanitary condition.

C-13. No individual sewage disposal system shall be permitted on any lot or site unless such system is designed, located and constructed in accordance with the requirements, standards and recommendations of the Department of Public Health of the State of Illinois. No septic tank or other device of similar function shall be permitted or located in any drainage or utility easement, nor nearer than fifty-five (55') feet to any street line in said subdivision, nor nearer than five (5') feet to a side or rear line of any interior lot or site. Approval of such system as installed shall be obtained from such authority.

C-14. Driveways must be not less than nine (9') feet in width for a single driveway and not less than sixteen (16') feet in width for a double driveway and must be surfaced with concrete or with black-top.

#### PART H- GENERAL PROVISIONS

H-1. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty-five (25) years from the date these covenants are recorded, after which time said covenants shall

RESTRICTIONS

be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

H-2. Enforcement shall be by proceedings at law or equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages;

H-3. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF we have hereunto set our hands and affixed our seals this 20<sup>th</sup> day of October, A. D. 1969.

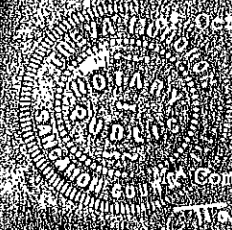
*Hayward T. McMurray*  
Hayward T. McMurray

*Isabelle H. McMurray* (SEAL)  
Isabelle H. McMurray

STATE OF ILLINOIS )  
                          ) SS.  
COUNTY OF SAVANNAH )

I, *Isabelle H. McMurray*, a Notary Public in and for said County in the State aforesaid, hereby do certify that Hayward T. McMurray and Isabelle H. McMurray, husband and wife, who are personally known to me to be the same persons whose names are subscribed to the foregoing Restrictions On The Use Of Lots In H-1 Acres Subdivision - First Plat as having executed the same, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said Restrictions On The Use Of Lots In H-1 Acres Subdivision - First Plat as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal this 20<sup>th</sup> day of October, A. D. 1969.



*Isabelle H. McMurray*  
Notary Public

My Commission Expires:  
November 17, 1970



502082

1062 874

State of Illinois, County of Sangamon  
I hereby certify that this instrument  
was filed for record on 10/21/69  
and is correct in form and content.  
Recorded on 10/21/69 at Springfield  
County of Sangamon Illinois.  
Recorder of Deeds

*James H. ...*  
RECORDER OF DEEDS

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Return to  
Giffin, Winnie, Lindner, Newkirk & Coombs  
First National Bank Building  
Springfield, Illinois 62701