

990755 Warranty Deed Cal. M. W. Whitener

THIS INDENTURE WITNESSETH, That FLORIAN V. O'DAY FAMILY PARTNERSHIP, A.K.A. O'DAY AND COMPANY, A PARTNERSHIP UNDER THE TERMS OF A CERTAIN PARTNERSHIP AGREEMENT DATE 1/1/74, AS TO AN UNDIVIDED 48% INTEREST; KATHRYN O'DAY AS TRUSTEE U/A/D 12/12/78, AS TO AN UNDIVIDED 26% INTEREST; FLORIAN V. O'DAY, AS TRUSTEE U/A/D 11/6/78, AS TO AN UNDIVIDED 26% INTEREST to Lake County, in the State of Indiana Convey and Warrant

PAUL M. WHITENER AND COMPANY INC. of Lake County, in the State of Indiana, for and in consideration of the sum of

TEN AND NO/100

the receipt whereof is hereby acknowledged, the following described Real Estate in Lake County, in the State of Indiana, to-wit:

Lot no. 365, Homestead Acres, 15th Addition, Unit 1, to the Town of St. John, Lake County, Indiana, as Amended by Certificate of Correction recorded July 7, 1988, as Document No. 985879. \*\* Subject to the following restrictions:

- \*\*as shown in Plat Book 63, page 23, in Lake County, Indiana. All taxes for the year 1988 payable in 1989, and thereafter. All restrictions and easements of record if any. Consideration of this deed is for vacant land only. Also, a list of restrictions on attached sheet.

DULY ENTERED FOR TAXATION SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER.

AUG 3 1988

Ann N. Austin AUDITOR LAKE COUNTY

LILLIAN A. BLASTICK RECORDER, LAKE COUNTY, CROWN POINT, INDIANA 46307

AUG 4 12 53 PM '88

FILED FOR RECORD

In Witness Whereof, The said KATHRYN O'DAY and FLORIAN V. O'DAY

has hereunto set THEIR hand and seal, this 21st day of July 1988

Kathryn O'Day Jr. (Seal) Florian V. O'Day Jr. (Seal) Kathryn O'Day, Trustee Florian V. O'Day, Managing partner Trust dated December 12, 1978 Florian V. O'Day, Family partnership A.K.A. O'Day & Company, A Partnership (Seal) Florian V. O'Day (Seal) Florian V. O'Day, Trustee COUNTY, ss: Trust Dated November 6, 1978

STATE OF INDIANA,

Lake

Before me, the undersigned, a Notary Public in and for said County, this 21st day of July 1988, came Kathryn O'Day and Florian V. O'Day

, and acknowledged the execution of the foregoing instrument.

Witness my hand and official seal

My Commission expires Feb. 10, 1991

Betty Novack Notary Public Betty Novack, Resident Lake County

This instrument prepared by: F.V. O'Day 10117 Kennedy Avenue, Highland, IN. 46322 Mail tax statements to: Paul M. Whitener & Co., P.O. Box 432 Schererville, IN. 46375

RESTRICTIONS APPLICABLE TO  
HOMESTEAD ACRES, 15th Addition  
TOWN OF ST. JOHN, INDIANA

1. All lots in this addition shall be used for residential purposes only.
2. There shall be a minimum setback of 40 feet unless shown differently on the plat as approved by the Plan Commission.
3.
  - (a) All one story residential structures with basements shall have a minimum 1st floor area of 1200 sq. ft.
  - (b) All 1 1/2 story residential structures with basements shall have a minimum 1st floor area of 1200 sq. ft.
  - (c) Bi-level residential structures shall have a minimum foundation area of 1200 sq. ft.
  - (d) All 2 story residential structures with basements shall have a minimum total area of 2400 sq. ft.
  - (e) All residential structures without a basement or on a concrete slab shall have a minimum 1st floor area 30% greater than listed above. This does not pertain to tri-level structures where a portion of the structure may not have a full basement.
  - (f) The above minimum areas do not include porches, breezeways, or attached garages.
  - (g) All accessory buildings shall have a minimum size of 14 x 20 ft.
  - (h) All residences must have garages attached or provisions for future detached garages.
  - (i) All residences must have masonry chimneys on exterior of house.
4. No structure of a temporary character, trailer, basement, tent, shack, barn, or outbuilding shall be used on any tract in this addition at any time as a residence, either temporarily or permanently.
5. No building previously constructed elsewhere shall be moved upon any tract in this addition.
6. Fuel tanks shall either be buried outside the structure or be placed inside the basement.
7. All sidewalks grades shall be established by the Town Engineer.
8. No residence or structure shall be commenced, erected, or maintained on any lot in this addition until the construction plans and specifications have been submitted to and approved by duly authorized agents or assigns, and approved by same.
9. These restrictions and conditions may also be enforced by the owner or owners of any lot in this addition by proceeding against anyone violating or attempting to violate any restriction, which proceeding may be to restrain such violation or to recover damages, or both.
10. The conveyance of all lots in this addition shall be subject to the above restrictions and conditions for a period of twenty (20) years from the date of the recording of this addition with the recorder of Lake County, Indiana.
11. A set of all plans must be on file in the seller's office.
12. To the extent that any of the above restrictions or parts thereof are less restrictive than any part of the subdivision regulations or ordinances of the Town of St. John, the greater restriction shall apply.