

ORDINANCE NO. 2. SERIES 1940

An ordinance establishing restrictions on all lots within the corporate limits of the Town of Kingsley covering the erection of improvements on all lots in the said Town, the Board of Trustees do ordain as follows:

(a) All improvements erected in Kingsley (Extension of Strathmoor) upon lots numbered 1 to 10 inclusive, 12 to 60 inclusive, 68 to 88 inclusive, 99 to 102 inclusive, 124 to 128 inclusive, 148 to 155 inclusive, 167, 188 to 196 inclusive, shall be used for private residence purposes only. No more than one dwelling house designed for occupancy by a single family shall be erected upon any one lot and residences upon said lots shall have exterior walls of brick, brick veneer, stone or stucco and shall cost not less than Six Thousand (\$6,000.00) Dollars.

(b) All improvements erected in Kingsley (Extension of Strathmoor) upon lots numbered 11, 89 to 98 inclusive, 103 to 123, inclusive, 129 to 147 inclusive, 156 to 166 inclusive and 168 to 187 inclusive, shall be used for private residence purposes only. No more than one dwelling house designed for occupancy by a single family shall be erected upon any one lot and the residence erected upon said lots shall cost not less than Five Thousand (\$5000.00) Dollars.

(c) Buildings erected on lots fronting Taylorsville Road in Kingsley (Extension of Strathmoor), numbered 61, 62, 63, 64, 65, 66, and 67, must be of brick, brick veneer, stone or stucco construction and must set back thirty (30) feet from front property line and shall cost not less than Six Thousand (\$6000.00) Dollars, and may be for business purposes.

(d) Lots numbered 148, to 167 may be used for the erection of church or school, otherwise restriction (a) will apply on said lots.

(e) The front wall of all residences, including bays, but exclusive of any projecting open porches, must set back of the building line as shown on the plat of Kingsley (Extension of Strathmoor) recorded in the Jefferson County Court Clerk's Office. All side walls of residences must be at least four (4) feet from the property line. Cornices shall not be extended nearer than one (1) foot to side line of lot, and the first floor of said building shall not be more than fifty (50) inches above the grade level at building line, nor shall metal roofing be used as the main roof of the residence erected on the property hereby conveyed.

(f) Easements and right of ways are reserved over the rear of each lot, and also over strips of land indicated as easements on the recorded plat for poles, wires and conduits to be used for lighting, telephone and other public utility purposes, such as sewers and pipe lines of various kinds. Easement shall not be used for driveways or alley purposes except easements which are twenty (20) feet or over in width which may be used jointly by the owners of property abutting on said easement as an entry to their business garage or residence and no structure of any kind shall be erected on any part of said easement or right of way.

(g) All outbuildings shall be erected on the rear of the lot and shall be under one roof and not over one story in height. Said outbuildings shall not be erected until after or along with the erection of a residence on this lot, unless the owner of this lot is the owner of the residence on the adjoining lot.

(h) Garages, if made a part of or attached to, or connected with the main building, shall be considered a part thereof, and shall be of the same material and style of architecture as the residence.

(i) The working plans and specifications for the erection of any building, alteration or additions as well as the location of same upon the lot herein conveyed must be approved by the Building Committee appointed by the Board of Trustees of the Town of Kingsley; provided, however, if any exception be taken to any approval or rejection of proposed improvements within the corporate limits of said Town, said person, firm or corporation so objecting may appeal to the Board of Trustees within thirty (30) days after said approval or rejection by said Committee and the ruling upon said approval or rejection by the Board of Trustees shall be final; provided, however, nothing herein shall conflict with the right or rights accruing to such person, firm or corporation for the appeal from said rulings as now provided by law.

(j) All fences must be of wire or hedge, except the posts, and shall not extend nearer than twenty-five (25) feet to the front building line of this property. Vegetable gardens must set back at least ten (10) feet from the building line.

(k) This property shall never be sold, rented or leased to, or occupied by any person or persons of African descent.

(l) No stables shall be erected on this property, nor shall any sheep, cattle, pigs, horses, mules or goats be kept thereon.

(m) No trade or business whatever shall be permitted or maintained on this property, except as provided for in restriction (c). This is not to include doctors or dentists who may maintain an office in their residence.

(n) Porches extending beyond the front wall of the residence and over the front building line shall not be enclosed in any manner more than thirty (30) inches above floors of same.

(o) The grade of the front yard at the property line shall be level with the public walk, and shall slope uniformly upward from the public walk to the building line, at which line the yard grade shall be twelve (12) inches higher than the public walk, and said grades shall slope uniformly from said public sidewalk to the street.

Should any section or clause of this ordinance be declared by the Court to be invalid the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared invalid.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any provisions of this ordinance shall be fined not less than \$5.00 or more than \$50.00 for each offense. Each day that the violation is permitted to exist shall constitute a separate offense.

This ordinance shall be in full force and effect from and after its passage as provided by law (approved February 1st, 1940).

CHANGES OR AMENDMENTS:

The Board of Trustees may from time to time on its own motion or on the petition by the owners of 50% or more of the area within the present corporate limits duly requesting by their signed and acknowledged petition any such amendment, supplement or change in the foregoing restrictions, embodied in this ordinance.

Attested 2/1/40

[Signature]
D. Town clerk
of Kingsley

[Signature]
Chairman