

Ruskin Heights Homes Association Inc

11229 Hickman Mills Drive

Tel: 816-761-6050

Web: <http://www.ruskinheightskc.com>

Kansas City, Mo 64134

Fax: 816-761-1748

Email: ruskinhtshoa@gmail.com

INFORMATION ABOUT RUSKIN HEIGHTS HOMES ASSOCIATION

As resident or owner of properties in Ruskin Heights Homes Association, we want to share what the Homes Association services that are available to you.

Ruskin Heights Homes Association (RHHA) represents both the Ruskin Heights and Ruskin Village subdivisions with the primary mission of ensuring that the homes in our community are well maintained and comply with the City's Maintenance and Nuisance codes as well as RHHA Restrictions.

At the time of purchase, the seller and/or the title company should have advised you that under your restricted deed your membership in our organization is both required and automatic. RHHA, together with each resident, has the primary responsibility to maintain property values and provide a safe and pleasant environment in which to raise our families.

We use several tools to monitor, identify, and resolve community problems and our organization has an attorney on retainer if legal action becomes necessary to protect our residents' interests. Nuisance properties not only decrease the value of nearby homes but discourage other residents from maintaining their own property and contribute to a vicious cycle of neighborhood deterioration. This makes it difficult to attract responsible new homeowners.

As a neighborhood resident, we ask that you (and if applicable, your tenants) join our efforts in making our community a strong and prosperous place to live. We encourage you to attend and participate in our two-yearly MEMBERS' meetings held on the second Tuesday in June and the second Tuesday of November when Board Directors are elected. These meetings will be held from 7 p.m. to 8:30 p.m. at a location to be announced prior to the meetings.

The monthly Board of Directors meetings are also held on the second Tuesday of each month (except July/August) currently at Ruskin High School—Media Center located at 7000 E 111th Terrace. These meetings are also held from 7 p.m. to 8:30 p.m. and Members and Tenants are also welcome.

Ruskin Heights Homes Association Inc

11229 Hickman Mills Drive

Tel: 816-761-6050

Web: <http://www.ruskinheightskc.com>

Kansas City, Mo 64134

Fax: 816-761-1748

Email: ruskinhtshoa@gmail.com

To assist you as a member of our community enclosed is helpful information. If you are a landlord, please share this information with your tenants, as Homes Association does not have tenant information (only the Landlords do).

IF YOU HAVE AN EMAIL, PLEASE SHARE IT WITH OUR OFFICE SO WE CAN COMMUNICATE WITH YOU BY EMAIL FOR PROPERTY INFORMATION AND OTHER PERTINENT INFORMATION SUCH AS BILLING. OUT OF TOWN OWNERS, PLEASE CONTACT US WITH YOUR LOCAL PROPERTY MANAGER SO WE CAN COMMUNICATE WITH THEM FOR ANY IMMEDIATE ISSUES.

RHHA's Office Information and Communication methods

Office: Ruskin Heights Homes Association

11229 Hickman Mills Drive Kansas City, Mo. 64134

Telephone: 816 761 6050 Email: ruskinhtshoa@gmail.com

Cell: 816-490-7184 and for texting pictures of code violations.

Hours 9 AM to 3 P.M (Please call for an appointment)

Other than by phone, email, or regular mail, we communicate by these Social Links

Email Newsletters – please send us your current email address so we can add you to the list

Facebook www.facebook.com/ruskinheightskc/

Website – www.ruskinheightskc.com

Ruskin Heights Homes Association Inc

11229 Hickman Mills Drive
Tel: 816-761-6050
Web: <http://www.ruskinheightskc.com>

Kansas City, Mo 64134
Fax: 816-761-1748
Email: ruskinhtshoa@gmail.com

BENEFITS OF BEING A MEMBER OF RUSKIN HEIGHTS HOMES ASSOCIATION 2020

1. Titan Security has been hired to patrol our neighborhood four times in a 24-hour period. If your property is vacant to a while, you can call Titan Security at 913-441-0911 to request your house to be monitored during a limited amount of time. They provide us a BOLO (Be On Look Out) reports of what they have found--and

TITAN
PROTECTION & CONSULTING

24 Hour Dispatch and Monitoring Center
913.441.0911

OWNED AND OPERATED
BY POLICE OFFICERS

that is forwarded to the Landlord/Property Manager. If there is a problem, the property owner will be notified. If you want more information regarding Titan, please contact our office and we will send you further information.

Patrol Services Package
Includes:

- **Roadside Assistance:** They help with vehicle lockouts, jump-starts and tire changes.
 - **House Watch Program:** Going out of town? Let them know and they will keep an eye on your home while you are away.
 - **Titan Tour™:** We have contracted for four tours in a 24-hour period.
 - **GPS:** All officers are equipped with GPS cellphones that are enabled with this program. They know the exact location of each their officers, routes they travel and even how fast they are going.
 - **Call Response:** This includes alarm response, noise complaints, employee escorts, and investigating suspicious activity.
-

Ruskin Heights Homes Association Inc

11229 Hickman Mills Drive

Tel: 816-761-6050

Web: <http://www.ruskinheightskc.com>

Kansas City, Mo 64134

Fax: 816-761-1748

Email: ruskinhtshoa@gmail.com

2. Nuisance properties decrease the value of nearby homes, discourage other residents from maintaining their own property, contribute to a vicious cycle of neighborhood deterioration, and make it difficult to attract responsible new homeowners into our neighborhood. We take the issue of nuisance property very seriously. In addition to our own efforts to solve any problems, our Association is represented by an attorney, which provides us with the option of taking legal action against homeowners when nuisance conditions persist. **We prefer, however, to solve nuisance property issues with individual homeowners before the situation requires a lawsuit.**
3. The Homes Association has members who are willing to lobby for city and county services in our area, such as the KC Minor Home Repair Grants, Energy Works, community cleanups which included recycling, hazardous waste drop off and prescription drug drop off.
4. The Homes Association has an office to maintain records for the recordkeeping requirements and if you have questions about services in the area, or report nuisance and code violations, your question will be answered by our staff.
5. The Homes Association works closely with South Patrol of the Kansas City Police Department in communicating tips from our residents regarding illegal activity occurring in our neighborhood.
6. Notary Public services are provided for our residents.
7. General information to assist our homeowners when there is problem with the City services to call in to the Action Center (3-1-1)
8. Mowing and maintenance of the Ruskin Heights Tornado Memorial and tree arbor, Delmar Triangle and five other areas in the Homes Association.
9. Membership with the Southern Community Coalition.
- 10.KCMO Grants
- 11.Rehab Program

Ruskin Heights Homes Association Inc

11229 Hickman Mills Drive

Tel: 816-761-6050

Web: <http://www.ruskinheightskc.com>

Kansas City, Mo 64134

Fax: 816-761-1748

Email: ruskinhtshoa@gmail.com

KNOW THE CODE



More than 66,000 property code citations were issued in 2012. Most of these violations are easily avoided, allowing property owners to remain both good neighbors and within the bounds of the law.

Property code violations are classified as one of two types: nuisance or property maintenance code issues. The Nuisance Code violations are generally found in yard areas around buildings. Property Maintenance Code

violations are related to minimum standards for the occupancy and maintenance of buildings and their premises.

Nuisance Code Violations

Graffiti on both public and private buildings

Weeds or grasses more than 10 inches high

Litter, trash or rubbish on premises

Tree limbs or brush in yard



Property Maintenance Code Violations

Rotten or broken house eaves

Peeling paint and exterior walls that have holes, cracks or rotten wood

Broken or cracked windows

Hanging or missing rain gutters

Code violation investigations are usually spurred by a resident complaint, although some extreme cases may be observed by City staff during their routine activities.

When code violations are found on a property, a code enforcement inspector will mail violation letters to both the owner and/or occupant of the property in question. The letter gives the property owner and occupant an opportunity to deal with the violation before re-inspection of the property. If during

the re-inspection the code violations remain, photos are taken and citations are prepared and mailed to the owner and/or occupant.

If the violation remains after the third inspection, the owner will be mailed ticket/citation fees and an inspection fee. If the property owner fails to pay the bill, a lien will be placed on the property for the cost of the abatement. The bill will also be handed over for collection through a collection agency or a City attorney.

Most residential code violations in Kansas City are easily fixable with a little effort. The City's goal is not to levy fines and take people to court, but to keep our neighborhoods clean and safe. If you have questions about code violations, see www.kcmo.gov and type "common code violations" in the search bar. If you wish to report a code violation, call 311.

For more information visit:

www.kcmo.gov/codeviolations

Ruskin Heights Homes Association Inc

11229 Hickman Mills Drive

Tel: 816-761-6050

Web: <http://www.ruskinheightskc.com>

Kansas City, Mo 64134

Fax: 816-761-1748

Email: ruskinhtshoa@gmail.com

HELPFUL INFORMATION FOR RUSKIN HEIGHTS HOMES ASSOCIATION RESIDENTS

EMERGENCY SERVICE NUMBERS

- Call 911 for Police - In case of life threatening and emergency conditions
- Call 234-5111 (Police Dispatch) – to report a situation like a burglary or vandalism that has already taken place and is not now a life or property threatening emergency
- Call 234-5550 for general information – South Police Patrol front desk number
- Call 911 for Fire - In case of life threatening and emergency conditions
- Call 911 for Ambulance – In case of life threatening and emergency conditions
- MAST non-emergency number is 816-924-1700

FOR KCMO UTILITY EMERGENCIES

- **Evergy (electric company)**
 - Call 911 for life threatening or emergency conditions
 - Outages, call 1-888-544-4852 (1-888-LIGHTKC)
 - Customer Service, call 816-471-5275 or 888-471-5275
 - Street Light Outages, 816-513-1313 with location
 - Line Location Services (Before Digging), Call 800-344-7483
 - Check out Evergy's Website <http://www.evergy.com>
- **Spire (gas company)**
 - If you smell gas--report a gas leak or suspected natural gas leak, outage or other natural gas emergency, leave the area immediately and dial Spire at 800-887-4173 or 911 when you're safe.
 - Line Location Services (Before Digging), Dial 811 to request that your project area be marked. The call and locating services are free.
 - Check out website www.spireenergy.com for other options
- **Kansas City Water Department** (direct phone numbers)
 - Customer Service, 816-513-1313, for questions or complaints on water main breaks, low pressure, meter leaks, repairs, etc. during regular hours
 - 24-Hour Telephone Bill Pay, 816-513-0567
 - Check out website www.kcwater.us for further information

Ruskin Heights Homes Association Inc

11229 Hickman Mills Drive

Tel: 816-761-6050

Web: <http://www.ruskinheightskc.com>

Kansas City, Mo 64134

Fax: 816-761-1748

Email: ruskinhtshoa@gmail.com

TRASH SERVICE INFORMATION

- **Weekly Trash Service is FRIDAY**

- Trash must be placed at the curb no later than 7 a.m. on the collection day Friday, but not before 3 p.m. on the previous day, Thursday.
- Crews begin collecting trash at 7 a.m. on each collection day. We recommend that trash be set out between 6-7 a.m. to reduce littering that results when animals get into trash bags.
- If a holiday falls during the week, trash and recycling collection takes place on the day following the holiday, and collection for the remaining days of the week also takes place one day later than usual. Friday trash is collected on Saturday during such weeks.

- **Other things to remember and consider:**

- Most residents use 30-gallon trash bags
- Trash left in trash cans or other non-disposable containers will not be collected.
- Up to two bags without tags will be collected each week.
- Buy additional trash tags at Westlake Ace Hardware and Price Chopper retail locations.
- Bags and boxes must weigh less than 40 pounds (so the workers can pick it up) and be shorter than four feet long (so it can fit in the truck).
- Trash bags cannot be placed on vehicles or walls, tied to fences or trees.
- Place residential solid waste at curbside within 10 feet of the street.
- Residential solid waste is not collected from alleys. Place small items in bags so that collection can be made in an efficient manner.
- It may not be feasible for crews to remove trash that has been scattered by animals or vandals. To help avoid the scattering of trash, set out solid waste just before 7 a.m. on day of collection. Report animal problems to Animal Health and Public Safety at 311.
- Provisions will be made for disabled persons who are incapable of placing their solid waste at the street and are unable to obtain assistance from others. In such cases, their solid waste will be collected at the front of the house through special arrangements. Contact 311.
- An interruption in trash collection services must be reported by 6 p.m. the day after collection day. Report service interruptions, questions or complaints to 311.

- **Other 3-1-1 Services, check out** website <https://www.kcmo.gov/city-hall/311>

- [Make a Bulky Appointment](#)
- [Find Trash Day](#) (links to mapping app; simply enter your name or address)
- [Access Municipal Court Online](#)
- [Access Water Services Customer Service for account information](#)
- [Search Tow Lot Vehicles](#)

Ruskin Heights Homes Association Inc

11229 Hickman Mills Drive

Tel: 816-761-6050

Web: <http://www.ruskinheightskc.com>

Kansas City, Mo 64134

Fax: 816-761-1748

Email: ruskinhtshoa@gmail.com

COMMUNITY RESOURCES

- **Community Assistance Council** -- Founded in 1976, Community Assistance Council is a 501(c)(3) nonprofit in south Kansas City with the mission to empower individuals and families to self-sufficiency through the delivery of direct emergency assistance, education and advocacy. Recently named Harvesters' Agency of the Year, we feed the hungry, prevent homelessness and assist over 4,000 individuals each year to achieve financial stability. Specific programs of CAC include a food pantry; a community garden; a clothing closet; emergency rent, utilities, and medical assistance; Meals on Wheels; life skills classes; and homeless case management. Their food pantry is the only allergy- and Celiac-friendly food pantry in the state of Missouri and Greater Kansas City metropolitan area. *Community Assistance Council is a 501(c)(3) nonprofit charitable organization. Donations are tax-deductible.*



CAC Main Location
10901 Blue Ridge Boulevard
Kansas City, MO 64134

816-763-3277
rachel.casey@cackc.org

Food Pantry:
Monday—Friday: 10 am – 2 pm
By appointment only

Clothes Closet:
Monday—Friday: 10 am – 2 pm
No appointment necessary

Ruskin Heights Homes Association Inc

11229 Hickman Mills Drive

Tel: 816-761-6050

Web: <http://www.ruskinheightskc.com>

Kansas City, Mo 64134

Fax: 816-761-1748

Email: ruskinhtshoa@gmail.com

- **Hickman Mills C-1 School District**-- Hickman Mills C-1 School District made history in 1902, when the Hickman Mills area schools became the first consolidated school district in Missouri. Over the past 100 years, the district has grown from less than 100 students to an enrollment of over 6,000 students.



Providing a Foundation for a Proudly Diverse
and Historic Community

The Hickman Mills area is a diverse, first ring suburban community located approximately 10 miles southeast of downtown Kansas City and includes 56 square miles. The area which is within the 5th and 6th council districts developed in the decades following World War II (1950-1970). During that time, Interstates 435 and 470 were built and postwar housing developed at a rapid pace.

District Administrative Office
5401 E. 103rd St.
Kansas City, MO 64137

(816) 316-7000
Fax: (816) 316-7020
www.hickmanmills.org

Ruskin Heights Homes Association Inc

11229 Hickman Mills Drive

Tel: 816-761-6050

Web: <http://www.ruskinheightskc.com>

Kansas City, Mo 64134

Fax: 816-761-1748

Email: ruskinhtshoa@gmail.com

RUSKIN HEIGHTS HOMES ASSOCIATION Homes Association Declarations

Powers and Duties of the Homes Association-

- (1) To enforce any or all restrictions which may have heretofore or may hereafter be imposed on the land in the Subdivision, either in the form as originally stated or as modified subsequently thereto; providing that nothing herein contained shall prevent any owner having the right to do so, to enforce any restriction in his own name at his own expense.
- (2) To provide for suitable services for the collection of rubbish and garbage.
- (3) To levy or collect assessments as may be authorized for the carrying of the above purpose.

Method of Providing General funds-

For the purpose of providing a General Fund to enable the Home Association to perform the duties and maintain the improvements herein provided, all land in RUSKIN HEIGHTS is subject to an annual assessment. The first assessment to be paid to the Home Association is assessed as of July 1, 1953 at the annual rate of thirty-six dollars (\$36.00) per annum for each improved lot, and five dollars (\$5.00) PER ANNUM FOR EACH UNIMPROVED LOT AS MAY EXIST ON THAT DATE. Such assessments shall be paid within 30 days, at which time it shall become delinquent. Subsequent assessments in like amount are levied as of January 1st of each year and payable within 30 days of the 1st of said year so long as the Home association shall be responsible under this Declaration. The next assessment on January 1st thereafter shall be in an amount as the Home Association may determine but shall not exceed the annual rate of thirty-six (\$36.00) per annum for each improved lot and five (\$5.00) per annum for each unimproved lot as same may exist at the time of levy, unless the owners of two-thirds of the lots herein specified consent in writing by an instrument to be recorded in the office of the Recorder of Deeds, Jackson County, Missouri, to an annual rate in excess of that herein specified.

Lien on Real Estate-

All assessments shall become a lien on real estate on the dates herein specified, and when assessments are made, a written or printed notice thereof shall be deposited in the United States Post Office addressed to the respective owners of the last address listed with the Association. The mailing thereof shall be deemed sufficient and proper notice of the levying of the assessment levied by this Homes Association Declaration, then such assessment shall bear interest at the rate of 8% per annum from the date of delinquency until finally paid.

Ruskin Heights Homes Association Inc

11229 Hickman Mills Drive

Tel: 816-761-6050

Web: <http://www.ruskinheightskc.com>

Kansas City, Mo 64134

Fax: 816-761-1748

Email: ruskinhtshoa@gmail.com

Enforcement of Lien-

The Association shall have the right to enforce the lien on said real estate in proceedings in any Court of Competent Jurisdiction, and upon institution of suit, the lien shall continue until the termination thereof. It shall be the duty of the Home Association to institute suit within three years from the date of any assessment, otherwise such assessment shall not be enforced as a lien. The lien provided for by this Declaration shall be subordinate to a valid First Lien of Trust on said property.

Covenants running with the Land-

All the provisions of this Declaration shall be deemed to be covenant running with the land and shall be binding upon the parties hereto and upon their heirs, successors and assigns.

Termination-

This Agreement may be terminated and all of the land affected thereby, released from the terms and provisions hereof, by the owners of three-fourths of the improved lots subject thereto, executing and acknowledging of an appropriate agreement for the purpose, and filing the same for record in the Office of the Recorder of Deeds, Jackson County, Missouri.

Definitions-

A 'corner lot' is one that abuts on more than one street. The street upon which a lot fronts shall be deemed as the front street. Any other street contiguous to such lot shall be deemed a side street. The word 'plot', as used in this statement, is intended to mean a single piece or parcel of land consisting on one lot or more or less than one lot. A 'plot' shall be deemed to front on the same street or streets as the lot or lots constituting such plot. By 'building limit line', as herein used, is meant the line marked 'building limit line', as shown on the plat, or as changed by the Homes Association in accordance with the provisions herein. The word 'street' as used in these restrictions, shall include and street, drive, boulevard, road, lane, way, terrace or court as shown on the plat.

Use of land-

No lot shall be used except for residential purposes except those lots or plats designated 'Business Areas' on the sub-division plat. No noxious or offensive trade or activity shall be carried on upon any lot nor, shall anything be done thereon which may be an annoyance or nuisance to the neighborhood. No trailer, basement, tent, shack, garage, barn or other building erected in the subdivision shall not at any time be used as a residence temporary or permanently, nor shall any residence of a temporary character be permitted. No residence or structure shall be moved onto any lot in said subdivision unless it meets with the approval of the Homes Association.

Ruskin Heights Homes Association Inc

11229 Hickman Mills Drive

Tel: 816-761-6050

Web: <http://www.ruskinheightskc.com>

Kansas City, Mo 64134

Fax: 816-761-1748

Email: ruskinhtshoa@gmail.com

Lot area and frontage-

Every dwelling erected on any plot shall front or present a good frontage on the street on which said plot fronts. Dwellings on corner lots shall have a presentable frontage on all streets on which the particular corner lot abuts. No dwelling shall be erected on a plot having an area of less than seventy five hundred (7500) square feet nor, a frontage of less than sixty (60) feet on the street on which the plot fronts.

Approval of plans-

No building, fence, wall, or other structure shall be commenced, erected or maintained, nor shall any addition thereto or change or alterations therein be made, until plans and specifications, color scheme, plot plan and grading plan therefore, or other information satisfactory to the Homes Association shall have been submitted to and approved in writing by the Homes Association and a copy thereof as finally approved lodged with the Homes Association. In so passing upon such plans, specifications, and other requirements, the Homes Association may take into consideration the suitability of the proposed building or other structure and the materials of which it is to be built, to the site upon which it is proposed to erect same, the harmony thereof with the surroundings and effect of the building or other structure as planned, on the outlook from adjacent or neighboring property.

Size of dwelling-

Any dwelling erected wholly or partially on any of the lots shall have a ground floor square foot area, exclusive of open porches or attached garages, of no less than seven hundred (700) square feet in the case of a one story structure, nor less than five hundred (500) square feet in the case of a one and one-half or two story structure. Attached garages shall not exceed a two car capacity.

Outbuilding requirements-

No outbuilding or outside toilets shall be permitted on any lot in the district.

Dwelling setback-

No dwelling or any part thereof shall be erected or maintained on any plot near to the adjoining street or streets than the building limit lines shown on the recorded plot. However, the Homes Association reserves the right to change any building limit line, provided the consent of the holder of the legal title of the involved is first obtained, but in no event shall a building limit line be changed so as to bring it more than five (5) feet nearer any adjoining street. However covered or uncovered but not enclosed porches, balconies, ports-cocheres, or terraces may extend beyond the building limit line not more than twelve (12) feet and customary architectural appurtenances, such as cornices, bay windows, spoutings, and chimneys may extend not more than four (4) feet. Steps leading to dwellings may extend beyond such building limit lines, provided such steps are not higher than the level of the first floor of the dwelling.

Ruskin Heights Homes Association Inc

11229 Hickman Mills Drive

Tel: 816-761-6050

Web: <http://www.ruskinheightskc.com>

Kansas City, Mo 64134

Fax: 816-761-1748

Email: ruskinhtshoa@gmail.com

Dwelling free space-

No part of any dwelling shall be erected or maintained nearer than six and one-half feet to the side line of the property of the plot on which the same is erected, except that cornices, spoutings, chimneys and purely ornamental projections may extend two (2) feet nearer said property line.

Easements-

The right is reserved to locate, construct, erect or maintain, or cause to be located, constructed, erected and maintained within the areas indicated on the plat as 'easement', sewer and other pipe lines, conduits, poles and wire, and any other method of conducting or performing any public or quasi-public with the right of access at any time to the same for the purpose of repair and maintenance.

Signs, billboards, and miscellaneous provisions-

The construction or maintenance of signs, billboards, or advertising structures of any kind on any lot is prohibited, except that one sign or billboard advertising the rental or sale of property shown on the recorded plat is permitted providing it does not exceed 2X3 feet in size, and except that signs of a larger size, advertising the subdivision, may be erected by the Homes Association. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purpose. Garbage disposal units may be connected to the plumbing in any dwelling therein without consent of the Homes Association. No tank for the storage of oil or other fluids may be maintained on any of the lots above the surface of the ground. No fence or wall, other than retaining wall, shall be erected or maintained on any lot nearer a front or side street than the building limit line. No building material or any kind or character shall be placed or stored upon any lot until owner thereof is ready to commence improvements and the material shall be placed within the property lines of the plot upon which the improvements are to be erected and shall not be placed in the street or between the curb and property line. Shrubbery shall be 3 feet high in front and 6 feet high in rear and within said lot.

Duration-

These covenants are to run with the land and shall be binding on all parties claiming under them for a period of 30 years from the date these covenants are recorded, after which time said covenant shall be automatically extended for successive periods of 10 years unless an instrument signed by a majority of the owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

Right to enforce-

The restrictions herein set forth shall run with the land and bind the Homes Association, its successors and assigns, and all parties claiming by, through or under it shall be taken to hold, agree and covenant with the Homes Association, its successors and assigns, and with each of them to conform to and observe said restrictions as to the use of said lots and the construction of improvements thereon, but no

Ruskin Heights Homes Association Inc

11229 Hickman Mills Drive

Tel: 816-761-6050

Web: <http://www.ruskinheightskc.com>

Kansas City, Mo 64134

Fax: 816-761-1748

Email: ruskinhtshoa@gmail.com

restrictions herein set forth shall be personally binding on any corporation, person or persons, except in respect to breached committed during its, his or their seizing of the title of said land and the owner or owners, of any of the above land shall have right to sue for and obtain an injunction, prohibitive or mandatory, to prevent the breach of or to enforce the observance of the restrictions above set forth in addition to ordinary legal actions for damages, and failure of the Homes Association or owner or owners of any other lot or lots shown on this plat to enforce any of the restrictions herein set forth at the time of its violation shall in no event, be deemed to be waiver of a right to do so thereafter.