

Zoning Commission had determined that the highest and best use of said property is for heavy commercial or light industrial use. Furthermore, at this day many business enterprises are commingled in the area with the residential establishments. I find that the plaintiffs lots have a small market value for the uses for which they are now restricted in comparison with the market value of the property without the restrictions. As the property is essentially business in nature if the plaintiffs are restrained from using their property for the only purposes for which it is now available they will be irreparably damaged. I further find that the streets in this area have been widened and paved to accommodate the tremendous increase in traffic. That there was originally a two-lane roadway through said property, which has now been widened into a four lane highway with sidewalks. In short, the streets have changed within the last few years from residential to business purposes and the zoning has been changed on the streets so that the property thereon may be used for business purposes by making the proper prescribed legal application for the same.

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From the testimony and exhibits, it appears that owing to the present use for business purposes in the neighborhood in which the plaintiffs' property is located, the purpose of the aforesaid restrictions can no longer be accomplished. Furthermore, even if the restrictions now imposed in the deed hereinabove referred to should be originally enforced, it would not restore the locality of its residential character but would merely lessen the value of every lot for business purposes. It further appears that the enforcement of these restrictions would impose great hardships on the plaintiffs and cause little or no benefit to the defendants.

It is clear from the testimony that due to the changed conditions in the neighborhood in which the plaintiffs' property is located, the original design of the parties has