

RESTRICTIVE COVENANTS

To Be Recorded with Deed

THIS CONVEYANCE IS MADE SUBJECT HOWEVER TO THE FOLLOWING RESTRICTIVE COVENANTS WHICH SHALL RUN WITH THE LAND AND SHALL BE ENFORCEABLE BY THE GRANTOR, ITS SUCCESSORS AND ASSIGNS:

1. DWELLING SIZE. One story primary dwellings shall have a minimum of two thousand five hundred (2,500) square feet of heated and cooled living area. Two story and one and one-half story dwellings shall have a minimum ground level heated and cooled area of two thousand (2,000) square feet and a minimum finished heated and cooled upper level area of six hundred (600) square feet.

2.DRIVEWAYS. All driveways must be concrete, asphalt or gravel.

3. GARAGES. All primary dwellings shall have an attached or detached garage adequate for at least two (2) automobiles. The enclosure of a garage for living purposes shall be permitted as long as exterior changes are consistent with the existing exterior (i.e. brick) and the home has a detached two or more (2) automobile garage.

4. BUILDING LOCATION. No building, including primary dwelling and detached garages, shall be located nearer than one hundred twenty (120) feet to the tract line fronting the public road. Accessory dwellings and all other buildings must be no closer than the rear of the primary dwelling. No building, including dwellings, garages or other buildings, shall be located on the tract nearer than twenty (20) feet to any interior tract line.

5. TRACT SIZE. The subject tract shall not be re-subdivided or any portion thereof severed.

6. MOBILE/MODULAR/MANUFACTURED/MOVED-IN HOMES. No mobile homes, modular houses, manufactured houses or moved in houses are allowed.

7. IMMOBILE AUTOMOBILES. No immobile automobiles may be kept on the premises unless stored in a building or behind a privacy fence.

8. ACCESSORY DWELLING UNIT: One accessory dwelling unit shall be permitted per track. The accessory dwelling unit must be built on-site and to the same requirements as the primary dwelling unit with exclusion of minimum structure and size. Accessory Dwelling unit shall be located no closer to the front of the tract than the rear line of the main dwelling

9 TEMPORARY RESIDENCES AND PARKING. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on the tract at any time as a residence either temporarily or permanently. No over the road commercial vehicles, including eighteen-wheel tractor trailers, no heavy equipment and no other machinery shall be located on or in front of the tract except the following are allowed:

- (a) Heavy equipment and other machinery when necessary for construction upon the tract, which equipment and machinery shall be removed upon completion of construction.
- (b) Small farm implements used for the maintenance of the tract.
- (c) Cab/tractor – but not a trailer – may be parked temporarily on the property behind the house.

10. NUISANCE. No noxious or offensive activity shall be carried on upon the tract, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.

11. FENCING. All fencing from the front facade of the primary dwelling extending toward the fronting public road and/or public side road will be of post and rail construction. Materials may be wood, plastic, PVC or other acceptable material. No chain link fencing or metal “T” posts with barbed wire or electrical wire is permitted. There is no restriction on fencing material to the rear of the primary residence.

12. SEWAGE. No outside toilets shall be erected on the premises. Septic tanks and field lines shall be properly installed on the premises according to applicable County Health Department requirements.

13. SATELLITE DISHES. No satellite dish antennas shall be located on the tract in the front or side yard nor mounted on any roof so as to be visible from the fronting public road.

14. RUBBISH. The tract shall not be used or maintained as a dumping ground for rubbish, trash, garbage, or other waste. All such rubbish, trash, garbage or other waste accumulated through normal residential use of said tract shall be kept in sanitary containers.

15. ANIMALS. All permitted animals (outlined below) may be kept or maintained on the portion of the tract behind the primary dwelling provided they are for personal use and not kept for commercial purposes, such as breeding or boarding and as long as they are not dangerous to other members (human or animal) of the area. All animals must be properly cared for and are not permitted to be a nuisance. Domesticated household pets (such as dogs, cats and caged birds) are permitted. Farm animals (such as horses, donkeys and goats except for pigs) are permitted and limited to a total of 5 per tract. Poultry (chickens, ducks and turkeys) are also allowed and limited to a total flock size of 25 birds. Swine are not permitted under any circumstances.

16. SIGNS. No signs of any kind can be displayed to the public view on the tract except one (1) 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 construction and sale period.

17. USE. The tract shall be used for residential purposes only and no structure on the tract shall be used for commercial purposes. Exception as follows: Home-based businesses shall be permitted so long as the business does not generate additional traffic, require signage, or cause any nuisance or disruption to the neighbors. Any such business shall be conducted entirely within the home, and minimal (not to exceed 3) public customers or clients shall visit the property. No building shall be used as an apartment or other rental use. No structure shall be erected, altered, or permitted to remain on the tract other than one (1) primary single-family dwelling with attached garage, one accessory dwelling unit and other outbuildings incidental to residential use.

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