

**LAND USE RESTRICTIONS OF
PROTECTIVE COVENANTS, CONDITIONS
AND RESTRICTIONS FOR TRACT 1431
BEING A REPLAT OF LAND PARCEL 3
OF PARTITION 45-91**

TO THE PUBLIC

WHEREAS, Declarant desires to subject said property to certain protective covenants, conditions, restrictions, easements, liens and charges for the benefit of Tract 1431, and it's present and subsequent owners as hereinafter specified, and will convey in the Tract 1431 subject thereto. It further being understood that all Tract 1431 fall within R-2 zone and any development shall conform to those requirements even if not specifically set out below.

NOW THEREFORE, Declarant hereby declares that all of the lots in Tract 1431 are and must be held and conveyed upon and subject to the easements, conditions, covenants, restrictions, and reservations hereinafter set forth, all of which are for the purpose of enhancing and protecting the value, use desirability and attractiveness of said property; that these easements, covenants, restrictions, conditions and reservations constitute covenants and servitudes to run with the land and are binding on all persons claiming under them and the land: and also that these conditions, covenants, restrictions, easements and reservations inure to the benefit of and are burdens upon all future owners and occupants of Tract 1431, and interest therein.

ARTICLE I

DEFINITIONS

1. "DECLARANT" means the undersigned, and the successors, heirs and assigns of Declarant's interest as developer of Tract 1431.
2. "LOT" means as numbered plot of land shown on the last recorded plat of Tract 1431.
3. "OWNER" shall mean and refer to the record owner.
4. "PROPERTIES" means the real property herein described and such additional property thereto as may hereafter be brought within the jurisdiction of the protective covenants, conditions and restrictions.

Over the Counter:
Melissa Peterson

ARTICLE II

LAND USE RESTRICTIONS

1. DWELLING: Only one single family residence is allowed per lot. The minimum footage for each single family dwelling shall be 2400 square feet of floor space, exclusive of garage, porch, patio, or decking. No building shall exceed two (2) levels. Only single story homes shall be allowed on southernmost lots. Below ground level basements will not be considered as a level. No modular or trailer house(s) will be allowed. The maximum height of any structure is to be no higher than six feet above the residence. All dwellings shall be constructed by Don Purio Development Co., LLC *unless* alternative arrangements are made prior to sale of lot of Tract 1431.

2. SUBDIVIDING: No further subdivision or partitioning of Tract 1431 is allowed.

3. RECREATIONAL VEHICLES: All recreational vehicles and boats shall be stored and otherwise parked only on the owner's property.

4. OUTBUILDINGS: No outbuildings, tent, shack, garage, trailer, motor home, or temporary building of any kind shall be used as a residence, either temporary or permanent.

5. UTILITIES: No above ground utilities shall be used on Tract 1431.

6. FIRE SUPPRESSION: Each dwelling of Tract 1431 shall be outfitted with an approved Type 13D Sprinkler System.

7. TRASH: No part of Tract 1431 may be used or maintained as a dumping ground for rubbish, trash, garbage, or other waste. No garbage, trash or other waste may be kept or maintained on Tract 1431 except in a sanitary container. No car parts, appliances, immobilized or immobile vehicles shall be placed or stored upon any lot within Tract 1431 or any public or private streets or ways. Any such property so described will be removed after 72 hours at the owners expense.

8. BUSINESS: No business or any kind shall be conducted on Tract 1431 with the exception of the business of the Declarant and the transferences of Declarant in developing all of the Tract 1431 provided herein.

9. SIGNS: No sign of any kind shall be displayed to public view on Tract 1431, except customary name and address signs and lawn signs of not more than five (5) square feet in size advertising a property for sale.

