

PROTECTIVE COVENANTS
FORMERLY TRACT D-ROMNEY ORCHARDS

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The real estate conveyed by the deed to which these protective covenants are attached to and made a part of, shall be subject to the following protective covenants, which covenants are to run with the land:

1. The grantor reserves unto itself, its successors or assigns, the right to erect and maintain telephone and electric light poles, conduits, equipment, sewer, gas and water lines, or to grant easements, rights of way therefor, with the right of ingress and egress for the purpose of erection and maintenance on, over or under a strip of land 15 feet wide on either side of the aforesaid roadway, property lines and within building restriction lines of any or all lots.
2. No building of a temporary nature and no house trailers or mobile homes shall be erected or placed on any of the tracts in said subdivision except those customarily erected in connection with building operations; and in such cases, for a period of time not to exceed four (4) months. This shall not prohibit the erection of a toilet complying with the provisions of paragraph below, nor shall it prohibit the tract owners from camping on their real estate.
3. Minimum size of any residence constructed in said subdivision shall contain at least 480 sq. feet on the main floor. This shall not include basement, garage, porch or carport. All exterior construction must be completed and closed in within eight (8) months of the commencement of construction.
4. All of the tracts in this subdivision shall be used for residential, recreational and/or farming purposes only, and any garage or barn constructed on any of the tracts in said subdivision must conform generally in appearance and material with any dwelling on the said tracts.
5. No signs, billboards, or advertising of any nature shall be erected, placed or maintained on any of the tracts within this subdivision or upon any building erected thereon except directional and information signs of the grantor.
6. All toilets constructed on said tracts shall conform to the regulations of the appropriate county and state health department, and be placed in a secluded area whenever possible. No building shall be constructed on any tract until a septic tank permit has been obtained from the State Health Department.
7. In the event State, local government, and utility, cooperative, or municipality expects or requires the installation of a public utility system within the area of which this is a part, the grantee or grantees, share for the cost and expense of the construction, maintenance and operation thereof, as the same cost is to be determined by the appropriate authority.
8. No driveway leading from any of the main subdivision roads may be constructed in such a manner as to impede the function of the road drainage ditches. For any driveway crossing a road drainage ditch a minimum of 12 inches in diameter culvert must be used in a fashion to insure adequate water flow along road drainage ditches.

9. No trucks, buses, old cars or unsightly vehicles of any type or description may be left, stored or abandoned on said tracts. No trash dumps or accumulation of brush piles of soil or any other unsightly material shall be permitted upon said tracts, except as essential for building or private road construction. Erosion of the soil shall be prevented by all reasonable means.

10. No motorcycle trails and motorcycle trail riding shall be allowed on the real estate herein conveyed and in this subdivision, and no recreational riding of motorcycles shall be allowed on the roadways in said subdivision, however, this does not prohibit owners of real estate or tracts in this subdivision from using and riding motorcycles over and upon the roadways situated in said subdivision to and from their employment or for legitimate business reasons.

11. Invalidation of any one of these covenants by judgement or Court order, shall in no wise effect any of the other provisions which shall remain in full force and effect.

12. No hunting or discharging of firearms shall be allowed within 150 yards of any cabin or improvement in the subdivision.

13. No noxious or offensive trade or activity shall be carried on upon any tracts or right of way and the use of any motorcycle or motor vehicle without proper noise abatement equipment is prohibited within the subdivision.

14. No more than one (1) family dwelling shall be constructed on the tracts in this subdivision. However, this shall not prohibit the tract owners from constructing one (1) additional guest house, provided that said guest house is not used for commercial purposes, it being the intent of this restrictive covenant to prevent all tract owners from constructing dwellings on the tracts in this subdivision for commercial purposes.