

Peebles 294 8337 F

WHITE FENCE FARM

PROTECTIVE COVENANTS AND RESTRICTIONS:

1. THESE COVENANTS AND RESTRICTIONS ARE FOR THE BENEFIT OF ALL THE LOT OWNERS AND ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 2010, AT WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS, UNLESS BY A MAJORITY VOTE OF THE THEN OWNERS OF THE LOTS IT IS AGREED TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.
2. IT SHALL BE LAWFUL FOR TOM PEEBLES BUILDERS INC. OR ANY OTHER PERSON OR PERSONS OWNING ANY REAL PROPERTY SITUATED IN WHITE FENCE FARM TO PROSECUTE ANY PROCEEDINGS AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT OR RESTRICTION HEREIN CONTAINED AND EITHER TO PREVENT HIM OR THEM FROM SO DOING TO RECOVER DAMAGES OR OTHER DUE FROM SUCH VIOLATION.
3. INVALIDATION OF ANY OF THESE COVENANTS BY JUDGEMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OTHER PROVISIONS WHICH REMAIN IN FULL FORCE AND EFFECT.
4. ALL LOTS IN THIS SUBDIVISION SHALL BE KNOWN AND DESCRIBED AS RESIDENTIAL LOTS. NO STRUCTURE SHALL BE ERECTED ON ANY LOT OTHER THAN ONE DETACHED SINGLE FAMILY DWELLING NOT TO EXCEED TWO AND ONE HALF (2 1/2) STORIES IN HEIGHT EXCLUSIVE OF BASEMENT AND A PRIVATE GARAGE FOR NOT LESS THAN TWO (2) CARS NOR MORE THAN FOUR (4) CARS ATTACHED TO THE RESIDENCE UNLESS OTHERWISE APPROVED IN WRITING BY TOM PEEBLES BUILDERS INC.
5. NO STRUCTURE SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT OF THIS SUBDIVISION WITHOUT WRITTEN APPROVAL OF TOM PEEBLES BUILDERS INC., TWO COMPLETE SETS OR "DOCUMENTS" SHALL BE SUBMITTED TO TOM PEEBLES BUILDERS INC. THE DOCUMENTS SHALL INCLUDE DESIGN PLANS, MATERIALS, COLORS, ROOFING, LOCATION OF BUILDING (HORIZONTAL AND VERTICAL) AND LANDSCAPING PLANS. TOM PEEBLES BUILDERS INC. SHALL HAVE FIFTEEN (15) DAYS AFTER RECEIPT OF THE DOCUMENTS TO MARK ON ONE SET OF THE DOCUMENTS "APPROVED" OR "DISAPPROVED" BY TOM PEEBLES BUILDERS INC. DATED AND SIGNED. DISAPPROVING DOCUMENTS SHALL INDICATE THE REASONS FOR DISAPPROVAL. IF THE DOCUMENTS ARE NOT RETURNED TO OWNER WITHIN FIFTEEN (15) DAYS AFTER RECEIPT BY TOM PEEBLES BUILDERS INC. THE DOCUMENTS SHALL AUTOMATICALLY BE APPROVED AS SUBMITTED. THE PLANS AND SPECIFICATIONS SHALL INCLUDE FLOOR PLANS, ELEVATIONS SHOWING ALL FOUR (4) SIDES OF HOUSE. AFTER THE ORIGINAL CONSTRUCTION, NO IMPROVEMENTS OF ANY KIND SHALL BE MADE OR ERECTED, PLACED, ALTERED OR EXTERIOR DESIGN CHANGE MADE THERETO, ON ANY LOT, UNTIL SUCH IMPROVEMENT, ALTERATION, CHANGE, ETC., ARE SUBMITTED TO TOM PEEBLES BUILDERS INC. AND FOLLOW THE APPROVAL OR DISAPPROVAL PROCEDURE SET FORTH IN THIS ITEM.
6. ALL FRONT AND SIDE YARDS SHALL BE SODDED ON EACH LOT. REAR YARDS MAY BE SEEDED. ON CORNER LOTS, BOTH FRONT YARDS ARE TO BE SODDED.

7. ALL LOT OWNERS SHALL FINISH GRADE ELEVATIONS IN ACCORDANCE WITH GRADING PLAN FOR THE SUBDIVISION AND LEAVE EXPOSED ALL MANHOLE COVERS AND SHALL INSTALL THE DRIVEWAY APRONS.
8. ALL LOT OWNERS SHALL INSTALL SIDEWALKS AND DRIVE APPROACHES WHEN REQUIRED IN ACCORDANCE WITH SPECIFICATIONS SET FORTH BY SUGARCREEK TOWNSHIP OHIO, PRIOR TO OCCUPANCY. SUCH INSTALLATION SHALL BE COMPLETED NO LATER THAN SIX (6) MONTHS FROM THE DATE OF THE RECORDING OF THE DEED TO SUCH LOT OWNER.
9. NO BUILDING SHALL BE LOCATED NEARER TO THE FRONT LOT LINE OR NEARER TO THE SIDE STREET LOT LINE THAN THE BUILDING SET-BACK LINE AS SHOWN ON THE RECORDED PLAT.
10. NO ACCESSORY STRUCTURES ARE PERMITTED WITHIN THE REQUIRED 30 FOOT REAR YARD. NO ACCESSORY STRUCTURES ARE PERMITTED WITHOUT THE APPROVAL OF TOM PEBBLES BUILDERS OR THE HOMEOWNERS ASSOCIATION.
11. SOLAR PANELS SHALL BE APPROVED OR DISAPPROVED IN WRITING BY TOM PEBBLES BUILDERS INC.
12. ROOF PITCHES OR SLOPE ON ALL HOMES SHALL BE 5/12 OR MORE.
13. NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITIES SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.
14. ALL LOT OWNERS SHALL LEAVE ALL SANITARY SEWER MANHOLES, STORM SEWER MANHOLES, WATER MAIN VALVE BOXES, AND WATER TAP BOX UNCOVERED AND EXPOSED TO FINISH GRADE AFTER SODDING AND SEEDING OF THE YARDS OR INSTALLATION OF WALKS AND DRIVEWAYS.
15. NO TRAILER, BASEMENT, TENT, SHACK OR GARAGE ERECTED IN THIS PLAT SHALL AT ANY TIME BE USED AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY NOR SHALL ANY STRUCTURE OF A TEMPORARY NATURE BE USED AS A RESIDENCE.
16. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH. TRASH GARBAGE OR OTHER WASTE SHALL NOT BE KEPT, EXCEPT IN A CLEAN AND SANITARY CONTAINER. ALL INCINERATORS OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION.
17. NO FENCE, WALL OR HEDGE SHALL BE PERMITTED TO EXTEND NEARER TO ANY STREET LINE THAN ONE HALF THE DISTANCE FROM THE REAR HOUSE LINE TO THE MINIMUM BUILDING SET-BACK LINE.
18. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT MORE THAN FIVE (5) SQUARE FEET ADVERTISING THE PROPERTY FOR SALE OR RENT EXCEPT SIGNS USED BY THE BUILDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALES PERIODS, OR A PERMANENT ENTRANCE SIGN INSTALLED BY TOM PEBBLES BUILDERS INC.
19. NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE RAISED, BRED, OR KEPT, ON ANY LOT EXCEPT DOGS, CATS AND OTHER HOUSEHOLD PETS, PROVIDED THEY ARE NOT KEPT, BRED OR MAINTAINED FOR COMMERCIAL PURPOSES.
20. THE TOTAL FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF THE OPEN PORCHES, GARAGES, OR STEPS SHALL NOT BE LESS THAN ONE THOUSAND (1400) SQUARE FEET IN THE CASE OF ONE STORY

STRUCTURES AND ONE THOUSAND THREE HUNDRED (1700) SQUARE FEET IN THE CASE OF TWO STORY STRUCTURES.

21. THE OWNERS OF ALL THE LOTS IN THE WITHIN SUBDIVISION SHALL BE REQUIRED TO MAINTAIN STORM WATER DRAINAGE WAYS IN SUCH A MANNER THAT THE NORMAL FLOW OF WATER WILL HAVE NO INTERFERENCE.

22. EASEMENTS AFFECTING LOTS SHOWN ON THE RECORD PLAN ARE RESERVED FOR UTILITY INSTALLATION, MAINTENANCE AND SURFACE WATER DRAINAGE. ANY IMPROVEMENTS MADE ON ANY EASEMENT BY THE PROPERTY OWNER ARE MADE AT THE RISK OF THE PROPERTY OWNER.

23. NO TRAILER, BOAT, MOTORHOME, OR RECREATIONAL VEHICLE OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT.

24. NO LOT SHALL HERE AFTER BE SUBDIVIDED INTO PARCELS FOR ADDITIONAL RESIDENTIAL PURPOSES.

25. SATELLITE DISH ANTENNAS ARE PERMITTED WITH THE APPROVAL OF TOM PEEBLES BUILDERS INC. OR THE HOMEOWNERS ASSOCIATION.

26. NO CHAIN LINK OR METAL FENCE WILL BE PERMITTED ON ANY LOT IN THIS PLAT.

27. ALL LOT OWNERS SHALL BE RESPONSIBLE FOR ANY DAMAGE TO CURBS, WATER TAP BOXES, MANHOLES AND CATCH BASINS.

28. ALL LOT OWNERS SHALL RESPONSIBLE FOR AND CLEAN UP AFTER THEIR CONTRACTORS, SUBCONTRACTORS OR PERSONNEL WHO HAVE CAUSED MUD OR OTHER DEBRIS TO BE PLACED IN THE STREETS OF THE DEVELOPMENT OR ADJACENT PUBLIC STREETS, SAID CLEAN-UP SHALL BE ACCOMPLISHED ON THE SAME DAY THAT DEBRIS AND MUD PROBLEM OCCURS.

29. ALL LOT OWNERS SHALL INDEMNIFY AND HOLD HARMLESS TOM PEEBLES BUILDERS INC. FROM ANY LIABILITY OR DAMAGE AS A RESULT OF ALTERING THE EXISTING DRAINAGE PATH ON THE LOT.

30. ALL LOTS SHALL HAVE A MINIMUM REAR YARD SET-BACK OF 30 FEET, AND A MINIMUM SIDE YARD SET-BACK OF 5 FEET.

31. THE WITHIN SUBDIVISION WILL BE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, ASSESSMENTS AND ARTICLES OF INCORPORATION OR BY-LAWS OF WHITE FENCE FARM HOMEOWNERS ASSOCIATION. ALL OF WHICH ARE RECORDED IN THE RECORDS OF GREENE COUNTY, OHIO AT
