

DEED COVENANTS - RAINBOW PROPERTY

WHEREAS, Malcolm Rainbow and Margaret Rainbow are the owners of certain real property located in the Town of Cazenovia, County of Madison and State of New York on the south side of Route 80 in the aforesaid Town, and

WHEREAS, Rainbows have proposed to subdivide that certain property into lots for resale, and

WHEREAS, Rainbows desire to establish certain covenants and restrictions to provide for the harmonious development of the property and to protect subsequent owners of the property, and

WHEREAS, Rainbow has represented to the Town Planning Board of the Town of Cazenovia that certain covenants and restrictions will be of record and will run with the land,

NOW, THEREFORE, Malcolm Rainbow and Margaret Rainbow do hereby establish the following covenants and restrictions on such property which shall be deemed covenants running with the land and be binding on Malcolm and Margaret Rainbow, their heirs, executors, administrators, successors and assigns.

1. After the filing of the subdivision map as approved by the Town Planning Board of the Town of Cazenovia, no further subdivision of any of the lots shall be permitted.

2. All existing trees located on the property greater than five inches in diameter breast height shall be preserved. The only exceptions to this paragraph shall be for those trees located within the designated building envelopes on Lots #2 and #3.

UNCLASSIFIED

3. "Scenic easements" shall apply to the areas designated on the plan for Lots #1, #4 and #6. Within the scenic easements as shown on the map, no plantings or structures will be placed that shall obstruct the views to the west from the first floor windows and doors of the lots to the east. Any vegetation that is placed on the lots within the scenic easements areas shall be no greater than fifteen feet in height.

4. The centerline of the driveway access points for Lots #1, #2 and #3 must be located within fifteen feet of the points as designated on the approved plan.

5. Lots #2 and #3 shall share a common access point as designated on the approved plan.

6. Lots #4 and #7 shall share a private access road as designated on the approved plan.

7. The 20' wide buffer strip between Lots #7 and #3 shall not be used for any form of vehicular access from Route 80.

8. All driveways longer than 400 feet in length shall meet the following specifications:

A. There shall be a gravel base or the road shall be paved with six inches minimum of gravel or paving.

B. The paved or gravel surface shall be 12' wide at minimum. There shall be shoulders on either side of the road of a minimum of 4.5' on either side. The slope of the shoulder shall not exceed 3% away from the paved surface.

C. There shall be an unobstructed right-of-way 30' wide and the vegetation shall be kept clear within the 30' wide strip a minimum of 20' in height from the surface of the road.

04/18/2005 11:41 3154548869

HOLISTICMAILER

PAGE 04

9. There shall be building envelopes designated on the plan for Lots #1, #2, #3, #4, #6 and #7. Any structure with any one dimension greater than 10' shall be located within the designated building envelope.

10. A minimum of two trees shall be planted on each lot as specified in the subdivision regulations for the Town of Cazenovia.

11. These restrictive covenants shall inure to the benefit of the owners of the property in the subdivision and the Town of Cazenovia, and may be enforced by the owner or the Town of Cazenovia.

Malcolm H. Rainbow
Malcolm H. Rainbow

Margaret H. Rainbow
Margaret H. Rainbow

STATE OF NEW YORK
COUNTY OF MADISON ss.:

On this 6th day of September, 1991 before me personally came MALCOLM H. RAINBOW and MARGARET H. RAINBOW, to me known to be the individuals described in, and who executed the foregoing instrument, and acknowledged that they executed the same.

Linda A. Haynes
Notary Public

LINDA A. HAYNES
Notary Public State of New York
Qualified in Madison Co. No. 4834071
Commission Expires April 30, 1994

State of New York)
Madison County) ss.
Clerk's Office)
Recorded on the 11 Day of Sept
A 19 91 at 9:35 o'clock
M In Liber 936 of
DEEDS or Page 200
O. Perry Ten examined.
Clark

Thomas S. Martin
Oriz. N.Y.
19-

2025 JUNE 15 PM 1:15

PAGE 05

