

HIGHLAND OAKS SUBDIVISION

RESTRICTIVE COVENANTS

1. ALL LOTS IN THE SUBDIVISION SHALL BE KNOWN AND DESCRIBED AS RESIDENTIAL LOTS. NO STRUCTURE SHALL BE ERECTED, ALTERED, PLACED OR PERMITTED OTHER THAN ONE SINGLE FAMILY DWELLING WITH AN ATTACHED OR DETACHED GARAGE. ALL DETACHED GARAGE OR ACCESSORY BUILDINGS SHALL BE OF THE SAME EXTERIOR CONSTRUCTION, DESIGN MOTIF AND MATERIAL AS THE DWELLING BUILDING, WITH A HEIGHT OF NO MORE THAN ONE STORY. NO LOT SHALL BE USED FOR COMMERCIAL USE OR PURPOSE.
2. NO TRAILER, BASEMENT, TENT, SHACK, BARN OR OTHER OUTBUILDING ERECTED ON ANY LOT SHALL BE USED AS A RESIDENCE, TEMPORARILY OR PERMANENTLY, NOR SHALL ANY STRUCTURE OF A TEMPORARY CHARACTER BE USED AS A RESIDENCE.
3. THE PLANS FOR EACH RESIDENCE AND/OR ACCESSORY STRUCTURE SHOWING THE PLAN, TYPE, KIND, SIZE, SHAPE, HEIGHT, MATERIAL, COLOR SCHEMES AND LOCATION OF SAME SHALL BE SUBMITTED TO AND APPROVED BY THE DEVELOPER BEFORE CONSTRUCTION IS BEGUN. DEVELOPER RETAINS THE RIGHT TO REJECT THE PLAN EVEN THOUGH THERE IS SUFFICIENT FLOOR SPACE. NO RESIDENCE SHALL BE CONSTRUCTED ON ANY LOT THAT DOES NOT COMPARE FAVORABLY IN CHARACTER, DESIGN AND CONSTRUCTION WITH OTHER RESIDENCES IN HIGHLAND OAKS, AND UNLESS SAID RESIDENCE SHALL BE SUITABLE TO THE SITE AND IN HARMONY WITH OTHER HOMES AND SURROUNDINGS. LAWNGRADES, FENCES, HOUSE ELEVATIONS AND LOCATION OF HOUSES ARE TO BE APPROVED IN THE SAME MANNER AS THE RESIDENCE PLANS. THE LOCATION, DESIGN, AND APPEARANCE OF ANY MAILBOX SHALL BE APPROVED BY THE DEVELOPERS.
4. NO RESIDENTIAL STRUCTURE SHALL BE ERECTED OR PLACED ON ANY LOT IN HIGHLAND OAKS, WITH GROUND FLOOR AREA LESS THAN 2,000 SQUARE FEET EXCLUSIVE OF PORCHES AND GARAGES IN THE CASE OF A ONE STORY HOME; AND NO LESS THAN 1,600 SQUARE FEET ON THE GROUND FLOOR AREA IN CASE OF 1 1/2 STORY HOME; AND NO LESS THAN 1,200 SQUARE FEET ON THE GROUND FLOOR AREA IN CASE OF A 2 STORY HOME. THE MINIMUM GROUND FLOOR AREA OF A RESIDENCE MUST BE 2,200 SQUARE FEET IN THE EVENT THE GARAGE IS DETACHED, OR IN THE BASEMENT.
5. NO EXPOSED FOUNDATION SHALL BE CONCRETE BLOCK. BRICK VENEER OR OTHER MATERIAL APPROVED BY THE DEVELOPER SHALL BE USED WHEN THE FOUNDATION IS EXPOSED TO SIGHT. ENDS OF DRIVEWAYS DRAINAGE TILES MUST BE PROTECTED BY HEADWALLS OF BRICK OR OTHER MASONRY MATERIALS.

6.

THE EXTERIOR MATERIAL OF ANY RESIDENTIAL STRUCTURE SHALL BE BRICK, STONE OR OTHER MODERN ARCHITECTURAL MATERIALS SUCH AS WOOD OR VINYL SIDING. IN NO CASE SHALL ASBESTOS SIDING, ASPHALT SIDING OR OTHER SIMILAR MATERIAL BE USED IN ANY PART OF THE STRUCTURE. NO PREFABRICATED RESIDENCE SHALL BE PLACED ON ANY LOT IN HIGHLAND OAKS. ALL STRUCTURES ARE TO BE CONSTRUCTED WITH QUALITY MATERIALS THAT BLEND WITH THE NEIGHBORHOOD AND MUST HAVE A FINISHED APPEARANCE UPON OCCUPANCY (i.e, COMPLETED SIDEWALKS, SHUTTERS, LANDSCAPING, etc.).

7.

ALL HOMES ARE REQUIRED TO HAVE A GARAGE EITHER ATTACHED OR DETACHED, FOR AT LEAST 2 CARS AND NOT MORE THAN 3 CARS.

8.

ALL STRUCTURES SHALL BE SET BACK FROM THE FRONT PROPERTY LINE NO LESS THAN THE BUILDING SETBACK LINES INDICATED ON THE RECORDED PLAT, NOR NEARER THAN TEN FEET FROM THE GABLED OR HIP OVERHANG TO ANY SIDE LOT LINE. NO HOUSE SHALL BE CLOSER THAN TEN FEET TO THE SIDE LOT LINE NOR WITHIN TWENTY-FIVE FEET TO THE REAR LOT LINE. DETACHED GARAGES OR ACCESSORY BUILDINGS SHALL BE NO CLOSER THAN FIVE FEET OF THE SIDE LOT LINES OR SIX FEET OF THE REAR LOT LINES.

9.

EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES ARE RESERVED AS SHOWN ON THE RECORDED PLAT OF THE SUBDIVISION. NO STRUCTURE OF ANY KIND, PLANTING, OR ANY OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION AND MAINTENANCE OF UTILITIES OR WHICH MAY CHANGE THE DIRECTION OF FLOW OF DRAINAGE CHANNELS IN THE EASEMENTS. THE EASEMENT AREAS OF EACH LOT SHALL BE MAINTAINED CONTINUOUSLY BY THE OWNER OF THE LOT.

10.

NO EXOTIC DECOR, STATUES, FIGURINES, LANDSCAPING, ETC. SHALL BE PLACED UPON THE LOT WHICH MAY PROVE OFFENSIVE TO THE NEIGHBORHOOD OR DIFFER MATERIALLY FROM THE OTHER LOTS IN THIS DEVELOPMENT.

11.

NO FENCES SHALL BE CONSTRUCTED WITHOUT APPROVAL OF THE DEVELOPERS. ANY FENCE APPROVED SHALL FIT AESTHETICALLY WITH THE SURROUNDINGS. NATURAL WOOD FENCES ARE PREFERRED. NO CHAIN LINK FENCE WILL BE APPROVED, NO FENCE WILL BE ALLOWED BEYOND THE REAR LINE OF THE RESIDENCE. FRONT YARD FENCES ARE NOT PERMITTED.

12.

OWNERS ARE REQUIRED TO MAINTAIN THE AREA WELL. ALL MATERIAL AND ANY DEBRIS PRODUCED DURING CONSTRUCTION MUST BE NEAT AND ORGANIZED AND NOT BE BLOWING OR OFFENSIVE TO THE NEIGHBORHOOD IN GENERAL.

13.

EACH LOT OWNER SHALL BE REQUIRED TO BE A MEMBER OF THE HIGHLAND OAKS HOMEOWNERS ASSOCIATION AND ABIDE BY THE REQUIREMENTS ESTABLISHED THEREIN.

14.

NO OVERNIGHT PARKING OF ANY VEHICLES SHALL BE PERMITTED ON PUBLIC RIGHT-OF-WAY AND STREETS WITHIN THE DEVELOPMENT. NO MORE THAN ONE INOPERABLE VEHICLE WILL BE PERMITTED PER LOT WITH SAID VEHICLE BEING STORED WITHIN A GARAGE.

15.

OPERATION OF RECREATIONAL AND/OR ALL TERRAIN VEHICLES AND THE USE OF FIREARMS WITHIN THE DEVELOPMENT IS PROHIBITED.

16.

ALL DRIVEWAYS SHALL BE PAVED, EITHER BY ASPHALT OR CONCRETE.

17.

GARBAGE AND REFUSE SHALL BE PLACED IN SUITABLE CONTAINERS WHICH SHALL BE CONCEALED AND CONTAINED WITHIN BUILDINGS OR BY MEANS OF A SCREENING WALL OR MATERIAL SIMILAR WITH THAT OF THE BUILDING OR BY SUFFICIENT LANDSCAPING TO PROVIDE A PERMANENT SCREEN AT ALL TIMES OF THE YEAR. NO MATERIALS, SUPPLIES OR EQUIPMENT SHALL BE STORED EXCEPT BEHIND A CLOSED BUILDING OR BEHIND A VISUAL SCREEN SO AS NOT TO BE VISABLE FROM STREET OR LOTS.

18.

NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE WHICH MAY BE OR BECOME A NUISANCE TO THE NEIGHBORHOOD.

19.

THESE RESTRICTIONS SHALL RUN WITH THE LAND AND BE BINDING ON ALL OWNERS OF LOTS IN HIGHLAND OAKS SUBDIVISION, THEIR HEIRS AND ASSIGNS, FOR A PERIOD OF THIRTY YEARS, AT WHICH TIME THEY SHALL BE AUTOMATICALLY EXTENDED FOR SUCESSIVE PERIODS OF TEN YEARS EACH UNLESS BY VOTE OF A MAJORITY OF THE LOT OWNERS IN HIGHLAND OAKS SUBDIVISION IT IS AGREED TO CHANGE THE RESTRICTIONS IN WHOLE OR PART.

RECEIVED
ALLEN COUNTY CLERK'S OFFICE
JUL 11 41
P.O. BOX 336
MAYFIELD, KY. 4216

STATE OF KENTUCKY, COUNTY OF ALLEN, SCT.

I, Elvis F. Russell, Clerk of Allen County, do certify that the foregoing instrument was this 1 day of July, 1994, lodged in my office for record, whereupon same and this certificate have been duly recorded.

Witness my hand this the 14 day of July, 1994
Elvis F. Russell, Clerk
By Johnnie F. White DC