

APR 30 1970

1590 - 165

RESTRICTIONS

By _____

WHEREAS, CURTIS DRAKE is the owner of lots One (1) Two (2), Three (3), Four (4), Five (5), Seven (7), Nine (9), Eleven (11), Fourteen (14), Fifteen (15), Sixteen (16) Seventeen (17) and Eighteen (18) and WENDELL L. COLLINS is owner of lot Six (6), RAYMOND M. MORTON is owner of lot Eight (8), JAMES E. BALDWIN is owner of lot Ten (10), WILLIAM C. KELLEY is owner of lot Twelve (12) and MORRIS CHAIMAN is owner of lot Thirteen (13), Drake Villa Subdivision, as shown by plat recorded in Plat Book 26, page 14, of the Register's Office of Hamilton County, Tennessee;

NOW THEREFORE, in consideration of the premises and for the purpose of controlling and promoting the future development of said real estate and protecting the values of the lots and improvements thereon, WE hereby impose and charge upon lots One (1) through Eighteen (18) inclusive, the following conditions and restrictions:

1. Each and every conveyance of any one of said lots shall be subject to the following conditions and restrictions which will run with the land for a period of seventy-five (75) years, and by mere reference to the recorded book and page of this instrument, it will ipso facto make them a part of the deed or deeds executed with respect to the aforesaid lots.

2. All of said lots named above shall be known and described as residential lots, and no structure shall be erected, altered, placed or permitted to remain on any residential building plot other than a one-single family dwelling not to exceed two stories in height.

3. Any single-level, or one-story, residence shall contain a minimum, exclusive of porches, breezeways, garages, basements, etc., of eleven hundred fifty (1150) square feet of livable interior floor area; and split-level or one and one-half story residence or two story residence shall contain a minimum of one thousand (1000) square feet of downstairs livable interior floor area, exclusive of porches, garages, basements, etc.

4. Said residence is to be erected a distance of at least thirty-five (35) feet from the front lot line, being the street upon which said residence faces; said residence is to be no nearer than (12) feet to the side lot line; and said residence is to be erected a distance of at least twenty-five (25) feet from the rear lot line.

5. No trailer, basement, tent, shack, garage, barn or any other detached building may be erected or placed on the above described tract; nor used at any time as a residence temporarily or permanently, nor shall any residence of a temporary character be permitted.

6. No fowls or animals, other than the usual domestic pets, shall be kept or permitted to remain on the premises.

7. No residence shall be erected on any of said lots until the design and location thereof has been approved in writing by the subdivider, his successors or assigns. However, in the event approval or disapproval is not given within ten (10) days after said plans have been submitted, then such approval shall not be required, provided said design and tract location conform to and are in harmony with existing structures on said tract, and conform to restrictions as herein set out.

8. Said residence shall be constructed in accordance with said plans and in accordance with structural standards of the Federal Housing Administration, or its successors.

9. No residence may be finished with asbestos siding on the front, nor shall any concrete blocks be exposed. All residences must have at least a partial brick or stone front, and shall contain at least one bath.

10. No fence shall be permitted upon said premises at a height of six (6) feet or more.

Prepared By
JAMES E. BALDWIN, Attorneys
712 CHERRY STREET
CHATTAHOOGA, TENN. 37403

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

On this 22nd day of April, 1970, before me personally appeared Wendell L. Collins, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF I have hereunto set my hand and Notarial Seal.

[Signature]
Notary Public

My Commission Expires:

April 9, 1974

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

On this 22nd day of April, 1970, before me personally appeared Raymond M. Morton, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF I have hereunto set my hand and Notarial Seal.

[Signature]
Notary Public

My Commission Expires:

April 9, 1974

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

On this 30th day of April, 1970, before me personally appeared James E. Baldwin, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF I have hereunto set my hand and Notarial Seal.

[Signature]
Notary Public

My Commission Expires:

April 9, 1974

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

On this 30th day of April, 1970, before me personally appeared William C. Kelley, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF I have hereunto set my hand and Notarial Seal.

[Signature]
Notary Public

My Commission Expires:

April 9, 1974

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

On this 21 day of April, 1970, before me personally appeared Morris Charman, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF I have hereunto set my hand and Notarial Seal.

[Handwritten Signature]
Notary Public

My Commission Expires:

APR 23 1972

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

On this 29th day of April, 1970, before me personally appeared William Smith, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF I have hereunto set my hand and Notarial Seal.

[Handwritten Signature]
Notary Public

My Commission expires:

APR 23 1972

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IDENTIFICATION
REFERENCE

APR 30 10 30 AM '70

DOOR... HMER
HAM... NTY
STATE OF TENNESSEE