

DECLARATION OF COVENANT, CONDITIONS, AND RESTRICTIONS

ARTICLE ONE DEFINITIONS

Owner

1.01 "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to all or a portion of the Properties, as that term is hereinafter defined, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Properties

1.02 "Properties" shall mean and refer to that certain real property described in Exhibit "A" attached hereto, and such additions thereto as may hereafter be brought within the jurisdiction of this Declaration.

ARTICLE TWO FEEDLOTS, AUCTION BARN, JUNK YARDS, WRECKING YARDS AND OTHER NOXIOUS OR OFFENSIVE ACTIVITIES PROHIBITED

No livestock feedlot (defined as enclosure that holds animals 24 hours a day including pigs), auction barn, junk yard, wrecking yards, or other noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

ARTICLE THREE RENDERING PLANT, RUBBISH, TRASH AND GARBAGE

None of the Properties shall be used or maintained as a rendering plant or as a dumping ground for rubbish or trash, and no garbage or other waste shall be kept except in sanitary containers. All incinerators or other equipment for the storage and disposal of such materials shall be kept in a clean and sanitary condition.

ARTICLE FOUR LARGE ANIMALS

Only one large animal (horse, cow, bull, hog) will be permitted per acre. The Property owner shall be responsible for erecting a barbed wire fence necessary to keep owner's animals on owner's property.

ARTICLE FIVE USE OF PROPERTY

Said Property shall be used for single family residential and agricultural purpose only; however, this restriction shall not prevent the construction of the usual appurtenances, including private garage, shop and/or barn. It also does not prohibit a small, home based business.

ARTICLE SIX
STRUCTURES ON PROPERTY

No structure of a temporary character shall be used as a permanent residence for more than 1 year.

No Manufactured Homes shall be permitted on the property for any length of time.

ARTICLE SEVEN
NON-LICENSED VEHICLES PROHIBITED

No wrecked, abandoned, junked or unlicensed vehicles will be permitted on any portion of the Property.

ARTICLE EIGHT
DIVISION OF PROPERTY

The property shall not be subdivided into tracts smaller than five acres. This restriction shall also be construed to prohibit more than one residential structure per acre.

ARTICLE NINE
WASTE DISPOSAL

Waste disposal systems must meet or exceed state and county health department requirements.

ARTICLE TEN
GENERAL PROVISIONS

Enforcement

10.01 Any owner shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, and reservations now or hereafter imposed by the provision of this Declaration. Failure to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Severability

10.02 Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provision, and all other provisions shall remain in full force and effect.

Duration and Amendment

10.03 The covenants, conditions, and restrictions of this Declaration shall run with and bind the land, and shall inure to the benefit of, and be enforceable by, the Declarants or the Owner of any portion of the Properties subject to this Declaration, and their respective legal representatives, heirs, successors, and assigns. The provisions of this DECLARATION shall be effective for a term of Forty (40) years from the date this DECLARATION is recorded.