

Hancock

COUNTRYSIDE

SECTION SIX

COVENANTS

We, R & F Development, Inc. by Steven R. Feilly, President, owner of the real estate shown and described herein, do hereby set off, plat and subdivide said real estate in accordance with the within plat.

This subdivision shall be known and designated as COUNTRYSIDE SECTION SIX. All streets shown and not heretofore dedicated are hereby dedicated to the public.

Front building minimum and maximum setback lines are hereby established as shown on this plat, between which lines and property lines of the streets there shall be erected or maintained no buildings or structures. The strips of ground shown on this plat and marked drainage and utility easement (D & U.E.) are reserved for the use of the public utilities for the installation of water and sewer mains, poles, ducts, line and wires, and drainage facilities. The strips of ground are subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected or maintained on said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities, and to the rights of the owners of the other lots in this subdivision.

This subdivision shall be subject to the following restrictions which shall operate as perpetual covenants:

1. **Drainage Swales (Ditches)** along dedicated roadways and within the right-of-way, or on dedicated drainage easements, are not to be altered, dug out, filled in, tiled, or otherwise changed without the written permission of the Hancock County Drainage Board (Commissioners). Property owners must maintain these swales as sodded grassways or other non-eroding surfaces. Water from roof or parking areas must be contained on the property long enough so that said drainage swales or ditches will not be damaged by such water. Driveways may be constructed over these swales or ditches only when appropriate sized culverts are installed as set out in 7-529 of the Hancock County Subdivision Control Ordinance.

2. **Alteration Drainage Swales** Any property owner altering, changing or damaging the drainage swales or ditches will be held responsible for such action and will be given 10 days notice by registered mail to repair said damage after which time, if no action is taken, the Hancock County Drainage Board (Commissioners) will cause such repairs to be accomplished, and the bill for such repairs will be sent to the affected property owner for immediate payment.

3. **Corner Lots** No fence shall be erected between adjacent lots which obstructs or interferes with the sections between 25 and 28

8. **Residential Use Only** All lots in this subdivision are used solely for residential purposes except for use as model homes during the site and development. No motor home, trailer, tent, shack or other outbuildings shall be used for temporary or permanent residential purposes on any lot in this subdivision. No dog kennel, junk yard or commercial business of any kind will be permitted in this subdivision.
9. **Building Location** No building shall be located nearer to the front line or nearer to the side than the minimum building setback lines shown on this plat. No accessory building shall be located closer to or side lot line than the required minimum front yard distance for the primary dwelling. No accessory building shall be located closer to any rear lot line, but in no case shall it encroach upon any portion of the rear lot line.
10. **Health Concerns** All water systems and methods of disposal in this subdivision are to be in compliance with the regulations or procedures by the State Board of Health or other authority having jurisdiction.
11. **Nuisances** No noxious or offensive trade shall be conducted upon any lot in this subdivision nor shall any other use thereon which may become a nuisance or annoyance to the neighborhood. All lots must be kept mowed.
12. **Limitation on Time** All residential construction shall be completed within one year after the starting of the final grading.
13. **Parking Limitations** No boat, camper bus or other vehicle shall be parked closer to the street than the building setback line. No inoperative or unlicensed vehicle shall be parked on any lot in this subdivision on or repaired on any lot in this subdivision on street thereof.
14. **Storage Tanks** All fuel storage tanks in this subdivision shall be buried below ground.
15. **Fencing** No fence or wall shall be erected on any lot nearer to any street than the front of the lot. All fencing must be maintained in good condition.
16. **Antennas** Any external TV Antenna or satellite dish shall be placed behind the residence.
17. **Design Requirements** Each one story and 1 1/2 story residence shall have an exterior constructed of brick, stone or masonry. This should be interpreted to mean that any exterior siding where needed or desired, with the exception shall have an exterior

within the right-of-way...
 are not to be altered...
 otherwise changed...
 Hancock County Drainage Board...
 owners must maintain...
 other non-eroding...
 areas must be...
 said drainage...
 water. Driveways...
 discharges only...
 45 feet out in 7-527 of the Hancock County Subdivision
 Control Ordinance

2. **Alter or Damage Signs.** Any properly placed signs or notices will be changing or damaging the drainage signs or notices and will be given 10 days held responsible for such action and will be given 10 days notice by registered mail to repair said damage after which time, if no action is taken, the Hancock County Drainage Board (Commissioners) will cause said repairs to be accomplished, and the bill for such repairs will be paid to the affected property owner for immediate payment.

3. **Corner Lots.** No fence, wall, hedge, tree, or shrub planting which obstructs sight lines and elevations between 2.5 and 8 feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points 40 feet from the intersection of said street lines (40 feet for minor streets and 75 feet for arterial streets) or in the case of a rounded property corner from the intersection of the street right-of-way lines extended. The same sight-line limitations shall apply to any lot within 10 feet of the intersection of a street right-of-way line with the edge of the driveway pavement or alley line. No driveway shall be located within 70 feet of the intersection of two street lines.

4. **Drains.** No sump pump drains shall outlet on to the street. No drainage structures shall be located within driveway limits.

5. **Right-of-way.** No trees shall be planted in the Hancock County Right-of-way.

6. **Driveways.** All driveways and vehicle parking areas shall be hard surfaced with either concrete, asphalt or brick. No gravel or stone driveways will be permitted.

7. **Minimum Living Space Areas.** The minimum square footage of living space of dwellings constructed on various residential lots in the development, exclusive of porches, terraces, garages, carports, accessory buildings, or basements, shall be as follows: (a) one-story dwellings shall contain at least 1500 square feet of ground floor living area for a one-story structure or 1000 square feet of minimum ground floor area if higher than one story, provided higher than one story structures shall have a minimum of 2000 square feet of total living area and each dwelling shall have a two or three car attached garage.

12. **Construction Methods.** All residential construction completed within one year after the starting date of the final grading.

13. **Parking Limitations.** No boat, camper, bus or trailer shall be parked closer to the street than the building line. No inoperative or unlicensed vehicle shall be on or repaired on any lot in this subdivision or street thereon.

14. **Storage Tanks.** All fuel storage tanks in this subdivision shall be buried below ground.

15. **Fencing.** No fence or wall shall be erected or placed on any lot nearer to any street than the front of the lot. All fencing must be maintained in good condition.

16. **Antennas.** Any external TV Antenna or satellite dish shall be placed behind the residence.

17. **Design Requirements.** Each one story and 1 1/2 story residence shall have an exterior constructed of 80% brick or stone. This should be interpreted to mean that 15% accent siding where needed or desired, with 15% accent siding where needed or desired, less than 50% brick or stone. All exterior siding shall be horizontal with the exception of the gables where vertical siding will be allowed. All chimneys must be brick veneer on all sides. The roof shall be no less than 12:12 pitch. These requirements can be waived by the applicant. All waivers will be in writing.

18. **Construction Methods.** No modular or concrete construction shall be permitted in this subdivision. No wood foundations shall be permitted in this subdivision. All outbuildings shall be constructed of materials and be similar in appearance with the lot on which the building is being built.

19. **Duration of Covenants.** The foregoing covenants and restrictions are to run with the land and shall bind on all parties and all persons claiming under the same from the date of the recording of this plat until January 1, 2011 at which time said covenants and restrictions shall be automatically extended for a period of ten (10) years, unless changed in whole or in part by vote of those persons who are then the majority of the numbered lots in the Development.

20. **The undersigned does hereby further create and establish the Hancock County Drainage Board and shall be shown on the accompanying plat and the drainage easements shall be constructed within, or to be constructed within, the County Regulated Drainage Easements and shall be subject to the right to establish a drainage system and the right to establish a drainage system. We hereby waive hearings, notices of publication of notice of the decision of the**

DULY SIGNED
 FOR TAXATION

DEC 8 1997

Maxilyn W. Covert
 Auditor of Hancock County

COUNTRYSIDE

SECTION SIX

COVENANTS

CLINET	13
SLIDE	119
INSTR. NO.	42-1154

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42-1154 - 8

8. **Residential Use Only** All lots in this subdivision shall be used solely for residential purposes except for residences used as model homes during the sale and development of this subdivision. No motor home, trailer, tent, shack, basement, or other outbuildings shall be used for temporary or permanent residential purposes on any lot in the subdivision. No dog kennel, junk yard or commercial business of any kind will be permitted in this subdivision.
9. **Building Location** No building shall be located on any lot nearer to the front line or nearer to the side street line than the minimum building setback lines shown on the plat. No accessory building shall be located closer to any front or side lot line than the required minimum front and side yard distance for the primary dwelling. No accessory building shall be located closer to any rear lot than 15 feet, but in no case shall it encroach upon any easement.
10. **Health Concerns** All water systems and methods of sewage disposal in this subdivision are to be in compliance with the regulations or procedures by the State Board of Health or other civil authority having jurisdiction.
11. **Nuisances** No noxious or offensive trade shall be carried upon any lot in this subdivision nor shall anything be done thereon which may become a nuisance or annoyance to the neighborhood. All lots must be kept mowed.
12. **Limitation on Time** All residential construction must be completed within one year after the starting date, including the final grading.
13. **Stacking Limitations** No boat, camper, bus or trailer shall be parked closer to the street than the building setback line. No recreational or utility vehicle shall be parked on or repaired on any lot in this subdivision or on any street thereon.
14. **Storage Tanks** All fuel storage tanks in this subdivision shall be buried below ground.
15. **Fencing** No fence shall be erected or placed on any lot closer to any street than the front of the residence. All fencing must be maintained in good condition.
16. **Antennas** Any external antenna or satellite dish shall be placed behind the residence.
17. **Basement Requirements** Each one and 1/2 story

by Steven R. Heilly, President, owner and described herein do hereby lay off and state in accordance with the within

and designated by COUNTRYSIDE, Inc., and not heretofore dedicated are

and maximum setback lines are hereby set forth between which lines and structures shall be erected or located. The strips of ground marked drainage and utility easement (D & U) are for the use of the public utilities for the sewer mains, poles, ducts, line and other structures and to the easement herein shown on the plat. The rights of the owners of the other lots in this subdivision are hereby subject to the following restrictions and covenants:

1. Any property owner altering the drainage swales or ditches will be liable for the cost of such repairs. Such repairs will be given 10 days after the date of such repairs to be made by the property owner. If the property owner fails to make such repairs within the time specified, the County Drainage Department will cause said repairs to be made and the cost thereof will be a lien in favor of the County Drainage Department against the property.
2. Any property owner altering the drainage swales or ditches will be liable for the cost of such repairs. Such repairs will be given 10 days after the date of such repairs to be made by the property owner. If the property owner fails to make such repairs within the time specified, the County Drainage Department will cause said repairs to be made and the cost thereof will be a lien in favor of the County Drainage Department against the property.
3. Any property owner altering the drainage swales or ditches will be liable for the cost of such repairs. Such repairs will be given 10 days after the date of such repairs to be made by the property owner. If the property owner fails to make such repairs within the time specified, the County Drainage Department will cause said repairs to be made and the cost thereof will be a lien in favor of the County Drainage Department against the property.

bill for such repairs will be sent to owner for immediate payment.

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ge Board (Commissioners). Property
these swales as sodded grassways or
force. Water from roof of parking
d in the property long enough so that
of ditches will not be damaged by such
be constructed over these swales or
appropriate sized culverts are installed
for the Hancock County Subdivision

Any property owner offering...
the drainage swales or ditches will be
with action and will be given 10 days
to repair said damage after which
taken the Hancock County Drainage
with cause said repairs to be
bill for such repairs will be sent to
owner for immediate payment.

well hedge tree or shrub planting
lines and elevations between 2.5 and 6
feet shall be placed or permitted to remain
within the triangular area formed by the
lines and a line connecting points 40
feet from said street lines (40 feet for
feet for arterial streets) or in the
property corner from the intersection of
the lines extended the same right line
in any lot within 10 feet of the
right of way line with the edge of
driveway line. No driveway shall be
of the intersection of two street

sewer drains shall outlet on
sewer structures shall be located

sewer shall be planted in the Hancock

ways and vehicle parking areas shall be
either concrete, asphalt or brick.
driveways will be permitted.

areas. The minimum square footage of
sewer constructed on various residential
lots, exclusive of porches, terraces,
sewer buildings, or basements below
ground shall not be less than 1500 square feet of
area for a one-story structure or 1000
square feet of area for a two-story structure or 1000
square feet of total living area, and each
two or three car, attached garage.

DULY ENTERED
FOR TAXATION

DEC 8 1997

Marylou A. Buntz
Auditor of Hancock County

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12. Limitation on Time All residential construction must be completed within one year after the start date, including the final grading.

13. Parking Limitations No boat, camper, bus or trailer shall be parked closer to the street than the building setback line. No temporary or unlicensed vehicle shall be parked on or repaired on any lot in this subdivision or on any street thereof.

14. Storage Tanks All fuel storage tanks in this subdivision shall be buried below ground.

15. Fencing No fence or wall shall be erected or placed on any lot nearer to any street than the front of the residence. All fencing must be maintained in good condition.

16. Antennas Any external TV Antennas or satellite dish shall be placed behind the residence.

17. Design Requirements Each one story and 1 1/2 story residences shall have an exterior constructed of no less than 60% brick or stone. This should be interpreted to mean four sides, with 75% accent siding where needed or desired. Each 2 story residence shall have an exterior constructed of no less than 50% brick or stone. All exterior siding shall be horizontal with the exception of the gables where vertical siding will be allowed. All chimneys must be brick or stone veneer on all sides. The roof shall be no less than 6/12 pitch. These requirements can be waived by the developers or their assigns. All waivers will be in writing.

18. Construction Methods No modular or concrete homes will be permitted in this subdivision. No wood foundations shall be permitted.

19. Subbuildings All outbuildings shall be constructed of new materials and be smaller in appearance with the residence on the lot on which the building is being built.

20. Duration of Covenants The foregoing covenants, conditions and restrictions are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 2011 at which time said covenants and restrictions shall be automatically extended for successive periods of ten (10) years unless changed in whole or in part by vote of these persons who are then the Owners of the majority of the numbered lots in the development.

The undersigned, after having reviewed the plans, specifications and grant into the Hancock County Drainage Board the drainage easements shown on the accompanying plat and the drainage improvements constructed thereon, or to be constructed within said easements, do hereby certify that the same are in accordance with the County-Regulated Drainage Easements and the County-Regulated Drainage Easements and the right to establish a maintenance fund therefor. We hereby waive hearings, notice of hearings and publications of notice of the decision of the Board.

SHEET 4 OF 5
JOB NO. 4536-6