

97412704

97412704

# FOX COVE SECTION TWO COVENANTS

We, GPF Design and Development, Inc., by Harold Green, President, owner of the real estate shown and described herein, do hereby lay off, plat and subscribe said real estate in accordance with the within plat.

This subdivision shall be shown and designated as Fox Cove, Section Two. All streets shown and not heretofore dedicated are hereby dedicated to the public. Front building setback lines are hereby established as shown on this plat, however which lines and property lines of the streets there shall be erected or maintained no building or structure. The strips of ground shown on this plat and marked drainage and utility easement (D. & U.E.) or drainage easement (D.E.) are reserved for the use of the public utilities for the installation of water and sewer mains, ducts, live and dead, and drainage facilities. The strips of ground are subject of all those 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 have their titles subject to the rights of the public utilities, and to the rights of the owners of the other lots in this subdivision. Further details covered in the description fields are permitted within the easements labeled D. & U. E. or D. E. The easements labeled Landscape Easements are hereby granted to the Developer and Homeowners Association and are reserved for landscaping, trees, shrubs, flowers, signs and other facilities associated with these items, and are to be maintained, repaired or replaced by the Homeowners Association. The lot owners in this subdivision shall take title to their lots subject to the rights of the Homeowners Association.

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

1. **Drainage Swales.** (Ditches) along dedicated roadways or within the right-of-way or on graded drainage easements, are to be altered, dug out, filled in, filled, or otherwise changed without the written permission of the Herk County Drainage Board (Conservation). Property owners must maintain these swales or drainage easements in a condition suitable for their intended use. Water from roof or parking areas must be collected on the property being drained. Drains, gutters, or catch basins shall not be damaged by such water. Drains, gutters, or catch basins shall not be damaged or ditches only when appropriate shall be installed on wet out in 7.1-47 of the Herk County Subdivision Control Ordinance.

2. **Altering Drainage Swales.** Any property owner changing, changing or damaging the drainage swales or ditches will be held responsible for such action and will be given 30 days to correct any such action. To report such damage, after which time, if no action is taken, the Herk County Drainage Board (Conservation) will send such report to the appropriate authority for enforcement.

3. **Curbs, Lawns, and Sidewalks.** Any property owner who addresses any of the following items shall be held responsible for such action and will be given 30 days to correct any such action. To report such damage, after which time, if no action is taken, the Herk County Drainage Board (Conservation) will send such report to the appropriate authority for enforcement.

## CHICAGO TITLE

4. **Minimum Living Space Areas.** The minimum square space of dwellings constructed on the residential development exclusive of porches, terraces, garages, patios, decks, pergolas, and other structures shall be as follows: one-story structures shall have a minimum of 1,200 sq. ft. of living space; two-story structures shall have a minimum of 1,800 sq. ft. of living space; three-story structures shall have a minimum of 2,400 sq. ft. of living space. The minimum square space of a two or three car detached garage.

5. **Architectural Design.** No building, fence, walls or other structure shall be erected, placed or altered on any lot in this subdivision until the building plans, specifications, and location of such structures have been approved by the local authority having jurisdiction over the building and fire departments and conform to the requirements of the local authority. Structures shall be finished ground elevations by the local authority. Only wood, masonry, brick, or concrete shall be permitted. Vinyl siding shall not be permitted. No wood, masonry, brick, or concrete shall be permitted. No wood, masonry, brick, or concrete shall be permitted. No wood, masonry, brick, or concrete shall be permitted. No wood, masonry, brick, or concrete shall be permitted. No wood, masonry, brick, or concrete shall be permitted.

10. **Building Location.** No building shall be located to the front line or nearer to the side street. No building setback lines shown on the plat. No building shall be located closer to any front or side lot regulated minimum front and side yard distance.

11. **Residential Use Only.** All lots in this subdivision for residential purposes except for residences during the sale and development of this subdivision. No other use shall be permitted on any lot in this subdivision. No other use shall be permitted on any lot in this subdivision. No other use shall be permitted on any lot in this subdivision. No other use shall be permitted on any lot in this subdivision.

12. **Limitation on Term.** No residential construction shall be completed within one (1) year after the start of the subdivision and front-surfaced driveway.

13. **Finishing Limitations.** No improvements or utilities shall be installed on any lot in this subdivision.

10. Building Location. No building shall be located to the front line or rear to the side street or building setback lines shown on the plat. No shall be located closer to any front or side lot required minimum front and side yard setbacks.

11. Residential Use Only. All lots in this subdivision for residential purposes except for residences during the sale and development of the subdivision, porch, tent, shack, boat, garage, horse, outbuildings shall be used for temporary or per purposes on any lot in the subdivision. No any kind will be permitted in this subdivision, family dwelling with attached garage shall be p

12. Limitation on Time. All residential construction be completed within one (1) year after the final grading and hard-surfaced driveway.

13. Parking Limitations. No horsepower or vehicles on or registered on any lot or on the driveway, trailer, mobile home, boat, truck, school bus any kind may be parked in the subdivision unless legal in the garage, except for personal auto or pick-up trucks.

14. Architectural Control Committee. The Architectural Control Committee of the Developer, or shall be composed initially of five (5) members of the development, by a committee of three (3) designated by the Developer for the term of one year, and thereafter until their successors are elected by the homeowners in the development. The Committee shall be to enhance and protect the and attractiveness of the development as a whole that of buildings, fences, walls or other structures harmonious with the overall architectural character of the development.

15. Water Systems. All water systems and methods treatment and disposal in this subdivision are subject to the regulations or procedures of the State of Illinois and other civil authority having jurisdiction.

16. Fuel Tanks. No fuel storage tanks, above or below ground, shall be allowed in this subdivision.

17. Lot Maintenance. All lots on which construction is being or about to be commenced shall be maintained and kept in good order and free from weeds, brush, and other obstructions in a neat and attractive manner.

18. Nuisances. No noxious or offensive trade shall be conducted on any lot in this subdivision nor shall anything be done which is a nuisance or annoyance to the neighborhood. No structure or equipment shall be maintained on any lot. Garbage and trash shall be disposed of in approved containers which are not visible from the street on collection day.

19. Right-of-Way. The right-of-way for any street shown on the plat shall be maintained and kept in good order and free from weeds, brush, and other obstructions in a neat and attractive manner. No structure or equipment shall be maintained on any lot in this subdivision nor shall anything be done which is a nuisance or annoyance to the neighborhood. No structure or equipment shall be maintained on any lot. Garbage and trash shall be disposed of in approved containers which are not visible from the street on collection day.

20. Easements. There are strips of property as shown on the plat which are hereby designated and reserved for use of the public utilities for the installation and maintenance of utility and telephone facilities (hereinafter referred to as "Utility Easements"). No permanent or other structure or obstruction shall be erected or maintained on such Utility Easements but each owner shall have the right to use such Utility Easements for the purpose of his lot, subject to the rights of such public utility for lines and easements in and along, across, through, and over the Utility Easements.

DAILY SERVICE FOR TAXATION

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# CHICAGO TITLE



**10. Easements.**

... shall be subject to the following restrictions which shall govern the easements:

... (b) (1) any drainage easements, on lot 1, the driveway, ... of-way, or on dedicated drainage easements, are not to be altered, ... out, filled in, used, or otherwise changed without the written ... of the Hancock County Drainage Board (Commissioner). Property ... must maintain these structures, sodded grassways or other ... ing surfaces. Water from roof or parking areas must be contained on ... property long enough so that solid drainage swales or ditches will not be ... aged by such water. Driveways may be constructed over these swales ... ditches only when appropriate street culverts are installed as set out in 7.1- ... of the Hancock County Subdivision Control Ordinance.

**11. Drainage Swales.** Any property owner offering, changing or ... ing the drainage swales or ditches will be held responsible for such ... ion and will be given ten (10) days notice by registered mail to repair ... damage, after which time, if no action is taken, the Hancock County ... ge Board (Commissioner) will cause said repairs to be accomplished. ... the bill for such repairs will be sent to the affected property owner for ... mmediate payment.

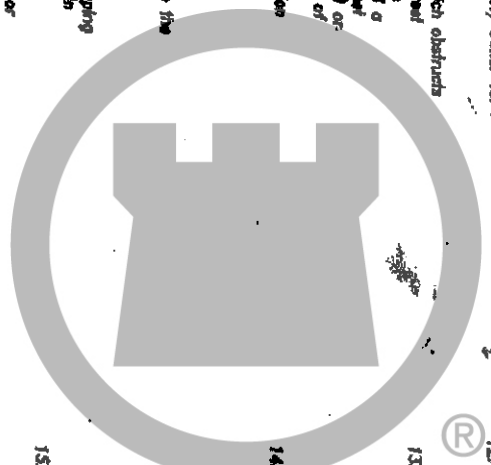
**12. Fences, walls, hedges, trees or shrub planting which obstruct ...** No fence, wall, hedge, tree or shrub planting which obstructs ... of lines and elevations between 2.5 and 2 feet above the street ... if be placed or permitted to remain on any corner lot within ... triangular area formed by the street right-of-way lines and a ... connecting points 40 feet from the intersection of said street ... s (40 feet for minor streets and 75 feet for arterial streets); or ... the case of a rounded property corner from the intersection of ... street right-of-way lines extended. The same shall also ... hindrance shall apply to any lot within 10 feet of the intersection ... a street right-of-way line with the edge of the driveway ... ment or other use. No driveway shall be located within 70 ... of the intersection of two (2) street center lines.

**13. No sump pump intakes or other drains shall outlet onto the ...** No sump pump intakes or other drains shall outlet onto the ... at. No drainage structures shall be located within driveway ...

**14. Right-of-way and easements.** No fence or landscaping ... be planted in the Hancock County road right-of-way or in ... drainage easements graded and shown on the plat.

**15. All driveways shall be paved with concrete, asphalt, or ...** All driveways shall be paved with concrete, asphalt, or ... weather surface materials as provided by the owner or his ... yor. No gravel or stone driveways will be permitted.

**16. Easements.** There are strips of property as shown on the ... ed ... which are hereby designated and reserved for use of the ... ic utilities for the installation and maintenance of utility and ... ge facilities (hereinafter referred to as Utility Easements). ... nment or other structure or obstruction except for ... nter drains for absorption tanks shall be erected or ... ched on such Utility Easement but each owner shall take ... bject to the rights of such public utility for ingress and ... as to and along, across, through, and over the Utility ...



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**10. Easements.** ... shall be subject to the following restrictions which shall govern the easements:

**11. Drainage Swales.** Any property owner offering, changing or ... ing the drainage swales or ditches will be held responsible for such ... ion and will be given ten (10) days notice by registered mail to repair ... damage, after which time, if no action is taken, the Hancock County ... ge Board (Commissioner) will cause said repairs to be accomplished. ... the bill for such repairs will be sent to the affected property owner for ... mmediate payment.

**12. Fences, walls, hedges, trees or shrub planting which obstruct ...** No fence, wall, hedge, tree or shrub planting which obstructs ... of lines and elevations between 2.5 and 2 feet above the street ... if be placed or permitted to remain on any corner lot within ... triangular area formed by the street right-of-way lines and a ... connecting points 40 feet from the intersection of said street ... s (40 feet for minor streets and 75 feet for arterial streets); or ... the case of a rounded property corner from the intersection of ... street right-of-way lines extended. The same shall also ... hindrance shall apply to any lot within 10 feet of the intersection ... a street right-of-way line with the edge of the driveway ... ment or other use. No driveway shall be located within 70 ... of the intersection of two (2) street center lines.

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**15. All driveways shall be paved with concrete, asphalt, or ...** All driveways shall be paved with concrete, asphalt, or ... weather surface materials as provided by the owner or his ... yor. No gravel or stone driveways will be permitted.

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# FOX COVE SECTION TWO COVENANTS

design and Development, Inc., by Harold Gibson, President, owner of the estate in accordance with the within plat.

plation shall be known and designated as Fox Cove, Section Two. All own and not heretofore dedicated are hereby dedicated to the public.

ing setback lines are hereby established as shown on this plat, which lines and property lines of the streets there shall be erected or

ed no buildings or structures. The strips of ground shown on this plat and drainage eas utility easement (D. & U.E.) or drainage easement (D.E.) and for the use of the public utilities for the installation of water and

gas, poles, ducts, line and wires, and drainage facilities. The strips of subject of all lines to the proper authorities and to file easement

convent. No permanent or other structures are to be erected, or if on said strips of land, but owners of lots in this subdivision shall

lines subject to the rights of the public utilities, and to the rights of the other lots in this subdivision. Furthermore, streets around

fields are permitted within the easements included D. & U. E. or U. E. points labeled "Landscaping Easements" are hereby granted to the

and Homeowners Association and are reserved for landscaping, trees, lawns, shrubs and other landscape associated with these items, and are

to be maintained, repaired or replaced by the Homeowners Association. The lot this section shall take title to their lots subject to the rights of the

or Association.

vision shall be subject to the following restrictions which shall separate and easements:

ogic Swales. (Driveways) along dedicated roadways and within the

of-ways, or as designated drainage easements, are not to be altered, cut, filled in, filled, or otherwise changed without the written

consent of the Hancock County Drainage Board (Commissioners). Property a must maintain these swales as sodded grassways or other main-

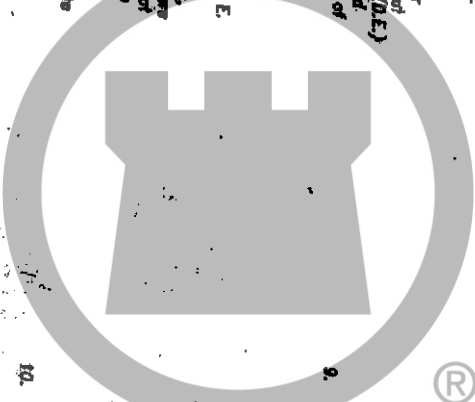
ing surfaces. Water from roof or parking areas must be controlled or properly hung except as flat roof drainage swales or ditches will not be

used by such water. Driveways may be constructed over these swales when such water appropriate sized culverts are installed as set out in 21-

the Hancock County Subdivision Control Ordinance.

ing Drainage Swales. Any property owner altering, changing or removing the drainage swales or ditches will be held responsible for such and will be given ten (10) days notice by registered mail to repair drainage, alter which time, if no action is taken, the Hancock County Drainage Board (Commissioners) will cause such repairs to be accomplished, as bill for such repairs will be sent to the affected property owner for their payment.

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8. Minimum Living Space Area. The minimum square footage of living space of dwellings constructed on the residential lots in the Development shall be as follows: single detached houses, finished living area above garages which otherwise would be considered attic space, garages, accessory buildings or basements below ground level shall contain no less than 1500 square feet of ground floor living area; for a one-story structure or 1200 square feet of ground floor living area if higher than one-story, provided that higher than one-story structures shall have a minimum of 2200 square feet of total floor living area and each dwelling shall have a two or three car attached garage.

9. Architectural Design. No building, fence, walls or other structure shall be erected, placed or altered on any building lot in this subdivision until the building plans, specifications and plat showing the location of such structures have been approved as to the conformity and harmony of exterior design with existing structures nearby and with the building with respect to the photograph and finished ground elevations by the Architectural Control Commission. Only space, masonry, brick or stone exterior shall be permitted. Any masonry, brick or stone chimneys are permitted. Signs, flagpoles, utility poles which are the roof of the structure, and lightpoles, weather, or concrete houses shall be permitted. No wood structures or wood exteriors shall be permitted.

10. Building Location. No building shall be located on any lot nearer to the front line of a road, to the side street, line than the minimum setback distance shown on the plat. No accessory building shall be located nearer to any front or side street than the required minimum front and side yard set-backs for the primary building.

11. Use of Land. The subdivision shall be used only for residential purposes. No other uses shall be permitted. No commercial, industrial, or other uses shall be permitted. No other uses shall be permitted. No other uses shall be permitted.

12. Easements. The easements shown on this plat shall be used for the purposes shown on this plat. No other uses shall be permitted. No other uses shall be permitted.

13. Maintenance. The property owner shall be responsible for the maintenance of the property shown on this plat. No other uses shall be permitted. No other uses shall be permitted.

14. Easements. The easements shown on this plat shall be used for the purposes shown on this plat. No other uses shall be permitted. No other uses shall be permitted.

15. Easements. The easements shown on this plat shall be used for the purposes shown on this plat. No other uses shall be permitted. No other uses shall be permitted.

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FOX COVE  
SECTION TWO  
COVENANTS

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9-21-2784

CHICAGO TITLE

19. **Outbuildings.** Outbuildings of accessory buildings shall be permitted on any lot only if approved by the Architectural Control Committee. The approval for such outbuildings shall be in the same manner as is required for a primary residence. The maximum size of any outbuilding or accessory structure shall not exceed 600 square feet. All outbuildings and accessory structures shall be required to have eaveless eaves. If eaveless eaves are not provided, the outbuildings shall be approved or constructed.
20. **Antennas.** Only digital satellite systems not exceeding 18" in diameter shall be permitted in the development. Said systems shall be allowed only if located on the rear of the primary residence.
21. **Solar Technology.** No devices for solar technology of any kind will be allowed in this subdivision.
22. **Swimming Pools.** Swimming pools must be placed behind the residence. Above ground pools will not be permitted.
23. **Pets.** No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats and other household pets may be kept, provided they are not kept, bred or maintained for any commercial purpose. Any animal so kept will not be permitted to roam or range within the subdivision and shall be confined to the owner's premises.
24. **Fencing.** Fencing shall not exceed six (6) feet in height and no fence shall be placed closer to the front lot line than the rear of the primary residence and approved by the Architectural Control Committee. Characteristic fencing must be of the dark steel coated type. All fencing must be maintained in good condition. On corner lots an additional requirement is that fences may not be placed closer to the street than the building setback line on the side of the residence.
25. **Lightboxes.** The Architectural Control Committee shall require a standardized method for each residence and shall establish a design, material and color specification for the number which shall be standard for all residences in this subdivision.
26. **Signs.** Each homeowner (or owner) shall be responsible for constructing a four (4) foot wide concrete sidewalk, 4000 psi strength, plain, cement, four (4) inch thick, 1/2" high per foot, between the street and expansion joint, and four (4) foot wide, about five (5) feet from the street, for each residence. The sidewalk shall be constructed in accordance with the specifications of the City of Chicago. The sidewalk shall be constructed in accordance with the specifications of the City of Chicago. The sidewalk shall be constructed in accordance with the specifications of the City of Chicago.
27. **Severability.** Every one of the restrictions is hereby declared independent of and severable from the rest of the restrictions, and if any one of the restrictions is held to be unenforceable, the remaining restrictions shall be held to be enforceable. If any one of the restrictions is held to be unenforceable, the remaining restrictions shall be held to be enforceable. If any one of the restrictions is held to be unenforceable, the remaining restrictions shall be held to be enforceable.
28. **Open channels and the drains within all drain easements shall be required drains subject to Indiana Code 36-9-27 and amendments.**
29. **It shall be the responsibility of the owner of any lot or parcel of land within the area of this plat to comply with all times with the provisions of the drainage plan as approved for this plat by the Hancock County Drainage Board through its agents, the Hancock County Surveyor and the Hancock County Engineer, and the requirements of all drainage permits for this plat by said Hancock County Drainage Board.**
30. **The property shall be graded pursuant to the final construction plan and may not thereafter be changed without the written approval of the Hancock County Surveyor, whose decision may be appealed to the Hancock County Drainage Board.**
31. **No trees or shrubs shall be planted, nor any structure erected in any drainage easement, unless otherwise approved by the Hancock County Surveyor and the Hancock County Engineer.**
32. **Sump pumps installed to receive and discharge groundwaters or other stormwaters shall be connected to the storm sewer or other stormwater discharge system, wherever possible or discharge into a designated storm drainage channel. Sump pumps installed to receive and discharge floor drain flow or other sanitary sewage shall be connected to the sanitary sewer. A sump pump shall be used for one function only, either the discharge of stormwaters or the discharge of sanitary sewage.**
33. **Footing drains shall be connected to storm sewers where possible or designated storm drainage channels. No footing drains or drainage tile shall be connected to the sanitary sewer.**
34. **No roof downspouts, roof drains, nor roof drainage piping shall be connected to the storm drainage system. No down spouts or roof drains shall be connected to the sanitary sewer.**
35. **Downspouts, roof drains, and roof drainage piping shall be connected to the sanitary sewer.**

DULY ENTERED FOR TAXATION

12/23/97

- 24. [Illegible text]
- 25. [Illegible text]
- 26. [Illegible text]
- 27. [Illegible text]
- 28. [Illegible text]
- 29. [Illegible text]
- 30. [Illegible text]

# CHICAGO TITLE

33. [Illegible text]

No trees or shrubs shall be planted, nor any structure erected in any drainage easement, unless otherwise approved by the Hancock County Surveyor and the Hancock County Engineer.

34. [Illegible text]

Feeding drains shall be connected to storm sewers where possible or designated storm drainage channels. No footing drains or down spouts or roof drains shall be connected to the sanitary sewers. Basement floor drains shall be connected to the sanitary sewers. No sump pump, footing drain, roof downspout, or basement drain shall be connected to any street underdrain.

STATE OF ILLINOIS }  
COUNTY OF HAWKOCK } SS:

We, GDF Design and Development, Inc., by Harold Gibson, President, hereby certify that we, are the owners of the property described in above caption and that on such date, we have caused the said a described property to be surveyed and subdivided as shown on the herein drawn plat, as our own free and voluntary act and deed.

GDF DESIGN AND DEVELOPMENT, INC.  
BY: *Harold Gibson*  
HAROLD GIBSON, President

1. ~~THOMAS S. GIBSON~~, a Notary Public in and for said County and State of Illinois, do hereby certify that Harold Gibson is personally known to me and to be the same person whose name is subscribed to the above certificate and that on this day in person and acknowledged that he has the above certificate as his own free and voluntary act and deed for the purpose therein set forth.

Given under my hand and notarial seal this 23 day of March 1997.

*James A. Spang*  
James A. Spang, Notary Public

County of Residence: Hancock  
My Commission Expires: 12/23/98

any contractual purposes. Any amount... confirmed to the owner's premises.

Fencing. Fencing shall not exceed six (6) feet in height... fence shall be placed closer to the front lot line from the rear of the primary residence and approved by the Architectural Control Committee.

Mailboxes. The Architectural Control Committee shall require a standardized mailbox for each residence and shall establish a design, material, and point specification for the mailbox which shall be standard for all mailboxes in this subdivision.

Sidewalks. Each homeowner (lot owner) shall be responsible for constructing a four (4) foot wide concrete sidewalk or 4,000 psi strength plain cement four (4) inch thick, sloped 1/4 inch per foot toward the street with expansion joints each forty-eight (48) feet, along the entire street frontage of their respective lot. The sidewalk shall also have bronze joints etc. six (6) feet and be placed on an acceptable compacted subgrade. The sidewalk shall be constructed prior to completing final grading. The sidewalk shall be located on the lot (not on the lot) and parallel to the street right-of-way line. The Homeowner Association shall be responsible for maintenance and upkeep of the sidewalk after initial construction except for any damage done by the originating lot owner.

Builders. All homes in this subdivision shall be built by custom builders approved by the Architectural Control Committee. Homeowner's Association. Each lot owner shall be required to join the Homeowner's Association by laws.

Duration of Covenants. The foregoing covenants are to run with the land and shall be binding on all parties and all persons claiming under them. At any time, a covenant may be changed in whole or in part upon (1) an affirmative vote of eighty percent (80%) of the lot owners of lots in the subdivision, and (2) with the consent of the Developer. If the Developer does not own one or more lots in the subdivision, the consent of the Developer shall not be required. Investigation of any of the foregoing Covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

Enforcement of Covenants. The right to enforce these covenants by injunction, together with the right to cause the removal, by the process of law, of any structure or part thereof erected, or maintained in violation hereof, is hereby reserved to any owner of any of the lots in this subdivision, including the Developer. However, such fine as the Developer no longer owns any property contained in this subdivision Section, the Developer no longer has any right, obligation or standing to enforce any covenant. The cost of enforcement of any violation of the covenants contained herein, including any expenses and attorney's fees, shall be charged to the property owner in violation, and such costs, expenses and fees shall be collectible in the same manner as assessments as provided herein.

31. Storm pumps installed to receive and discharge groundwater or other stormwater shall be connected to the storm sewer system, provided or discharged into a designated storm drainage channel. Storm pumps installed to receive and discharge floor drain flow or other sanitary sewage shall be connected to the sanitary sewers. A sump pump shall be used for one function only, either the discharge of stormwater or the discharge of sanitary sewage.

Footing drains shall be connected to storm sewers where possible or designated storm drainage channels. No footing drains or drains shall be connected to the sanitary sewer.

No roof downspouts, roof drains, nor roof drainage piping shall be connected to the storm drainage system. No down spouts or roof roof drains shall be connected to the sanitary sewers. Basement floor drains shall be connected to the sanitary sewers. No sump pump, footing drain, roof downspout, or basement drain shall be connected to any street underdrain.

STATE OF NORTH CAROLINA }  
COUNTY OF HANCOCK }  
We, Giff Design and Development, Inc., by Harold Gibson, President, do hereby certify that we are the owner of the property described in the above caption and that, as hereinafter, we have caused the said above described property to be surveyed and subdivided as shown on the herein drawn plat, as our own free and voluntary act and deed.

GIFF DESIGN AND DEVELOPMENT, INC.  
BY: *Harold Gibson*  
HAROLD GIBSON, President

Witness my hand and official seal this 1st day of November, 1988.

*David S. Spradley*  
DAVID S. SPRADLEY, Notary Public

County of HANCOCK, North Carolina  
By Commission Expires: 11/15/91

97-112704  
 FOX COVE  
 SECTION TWO  
 COVENANTS

346
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Outbuildings. Outbuildings or accessory buildings shall be permitted on any lot only if approved by the Architectural Control Committee. The approval for such structures shall be in the same manner as is required for a primary residence. The maximum area of any outbuilding or accessory structure shall not exceed 600 square feet. All outbuildings and accessory structures shall be required to have exterior finish in appearance to the primary residence. No metal outbuildings shall be approved or constructed.

Advertisements. Only signs not exceeding 18" in diameter shall be permitted in the development. Such signs shall be allowed only if located on the rear of the primary residence. Signs shall be allowed in the subdivision.

Swimming Pools. Swimming pools must be placed behind the residence. Above ground pools will not be permitted.

Pets. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats and other household pets may be kept, provided they are not kept, bred or marketed for any commercial purposes. Any animal so kept will not be permitted to roam at large within the subdivision and shall be confined to the owner's premises.

Fencing. Fencing shall not exceed six (6) feet in height and no fence shall be placed closer to the front lot line than the rear of the primary residence and approved by the Architectural Control Committee. Chain-link fencing must be of the dark vinyl coated type. All fencing must be maintained in good condition. On corner lots an additional requirement is that fences may not be placed closer to the street than the building setback line on the side of the residence.

Lighting. The Architectural Control Committee shall require a standardized mailbox for each residence and shall establish a design, material, and paint specification for the mailbox which shall be standard for all residences in this subdivision.

Decorative. Each homeowner (or architect) shall be responsible for constructing a four (4) foot wide concrete sidewalk of 6000 psi strength plain cement four (4) inch thick, (except 7/8 inch for road border the street with expansion joints each 20 feet apart) and set, along the entire street frontage of that residence. The sidewalk shall also have concrete drainage, as (6) inch wide, 1/2 inch deep, spaced every 10 feet.

31. Separability. If any one of the restrictions is hereby declared to be inoperative or void, so as to render the entire covenants and conditions of said subdivision null and void, the restrictions and conditions shall nevertheless remain in full force and effect. The restrictions and conditions shall be held to be severable, or to lack the quality of entirety with the land that the holding shall be without effect on the validity, enforceability or running quality of any other one of the restrictions.

32. Open drainage and the drains within all drain easements shall be required to be subject to Indiana Code 36-9-27 and its amendments.

If it shall be the responsibility of the owner of any lot or parcel of land within the area of this deed to comply at all times with the provisions of the drainage plan as approved for this plat by the Hancock County Drainage Board through its agents, the Hancock County Surveyor and the Hancock County Engineer, and the requirements of all drainage permits for the plat by said Hancock County Drainage Board.

The property shall be granted pursuant to the final certificate of title, and shall be conveyed without the written approval of the Hancock County Surveyor, whose decision may be appealed to the Hancock County Drainage Board.

No fence or structure shall be placed on any structure specified in any drainage easement, unless otherwise approved by the Hancock County Surveyor and the Hancock County Engineer.

33. Any owner of a lot in this subdivision who is a party to a deed conveying a portion of the lot to another party shall be deemed to have agreed to the provisions of this deed, and the provisions of this deed shall apply to the portion of the lot so conveyed.

34. The provisions of this deed shall apply to all lots in this subdivision, whether or not the same are specifically mentioned herein, and to all lots in this subdivision which may hereafter be added to the subdivision.

35. The provisions of this deed shall apply to all lots in this subdivision, whether or not the same are specifically mentioned herein, and to all lots in this subdivision which may hereafter be added to the subdivision.

36. The provisions of this deed shall apply to all lots in this subdivision, whether or not the same are specifically mentioned herein, and to all lots in this subdivision which may hereafter be added to the subdivision.