

RESTRICTIONS FOR PENDLETON ACRES

The above described property comprises Pendleton Acres and shall be subject to the following restrictions and provisions.

- 1. No subdividing creating a lot of less than 3 acres.**
- 2. No single wide mobile homes. Doublewide and modular homes may be permitted. All homes must be permanently attached to a concrete wall, slab or basement. No piers or underskirting. All homes must have at least 1350 square feet of above ground living space on the main floor. Homes with more than one story must have at least 1,000 square feet of living space on the main floor. Porches and garages are not included as living space. Only one single family residence per lot. Doublewide and modular homes must be no more than 5 years of age and approved by the trustees to their condition.**
- 3. No structure of a temporary character, trailer, basement, tent, shack, garage or other outbuildings shall be used as a place of residence temporarily or permanently.**
- 4. No animals, livestock or poultry of any kind shall be raised for resale. No dogs or cats shall be permitted by the lot owner to be off the lot of the owner unless on a leash. No hogs or dog kennels. On lots consisting of 10 or more acres, one horse or cow will be allowed per fenced acre.**
- 5. Unlicensed motor vehicles other than construction or farm equipment shall not be operated on subdivision roads. Nor shall unlicensed drivers be permitted to operate motor vehicles on subdivision road.**
- 6. No construction closer than 50 feet of the road easement or 25 feet to the property lines. A variance may be granted by the trustees to the location of home in the event the lot is unsuitable for building with in the set back line.**
- 7. No unlicensed vehicles, salvage, dumping, or other visible storage which constitute a nuisance or annoyance to the neighborhood are permitted.**
- 8. Any vehicle larger than a standard size pickup truck, any boats, trailers, or other miscellaneous vehicles other than operating cars and pickups, must be parked to the rear of the residence.**
- 9. Lot owners shall be assessed \$200.00 per year for road maintenance. This assessment is subject to change by a 60% majority vote of the lot owners. At the time of purchase, each owner becomes jointly responsible for the cost of maintenance, and for the cost of improvements on the road as originally constructed.**
- 10. Any lot owner who owns two or more connecting tracts will be considered a single lot owner entitled to one vote and may be assessed as only one lot, except the developer, who will have one vote and one assessment for each unsold lot.**
- 11. Assessments are due within 30 days after notice. After the due date the assessments will bear**

a 10% per annum charge until paid and such assessment and interest shall constitute a lien upon said lot, said lien to be filed for record by the trustees.

12. These provisions may be revised by a 60% vote of the owners, one vote per lot owner.

13. Any owner who violates the restrictions may be subject to a suit for compliance by an individual owner at his own expense, or by the subdivision trustees, when so directed by a majority of owners at the expense of all lot owners.

14. The trustees will comprise of 3 in number and will be the governing body for the development. They shall have the right to prepare and enforce all reasonable rules and regulations for the enforcement of these restrictions and covenants; and they shall be authorized to grant variances for unusual conditions. They shall collect and disburse assessments.

15. The first board of trustees shall consist of Philip Reid, Michelle Smith and Melinda Schoenmaker they shall serve until the first week of November, 2009. Afterwards a new board shall be elected for 3 year terms by the lot owners. The remaining trustees shall select a lot owner to fill any vacancy caused by resignation.

16. No road may be constructed or road easement granted connecting subdivision road to land outside the subdivision other than by the under signed developers.

17. Commercial businesses are not permitted.

18. Lots that do not adjoin private road are exempt from road assessments. Lot owners who share private road, but are deemed by the trustees that they do not use private road for access, may also be exempt from road assessments.