

850510

BOOK 30-76-PAGE 368

RESTRICTIONS

Re: Lots 1 through 10 inclusive, of Tom Boyd Subdivision as shown on a plat recorded in Plat Book 34, Page 192, Register's Office, Hamilton County, Tennessee and Lots 11 through 20 inclusive, of Tom Boyd Subdivision as shown on a plat recorded in Plat Book 40, Page 15, Register's Office, Hamilton County, Tennessee.

In order to promote the development of the above described subdivision, the undersigned owners, hereby impose the following restrictions on each of said lots:

1. The lots shall be devoted exclusively to residential use, and no buildings shall be erected or maintained on any lot other than single-family residences and connected carports or garages, private swimming pools, outdoor cooking facilities and any structure needed to keep horses on the lots. No residence shall be used in whole or in part for any business service or activity or for any commercial purpose; nor shall the lots be used for business purposes, or for trucks or other equipment inconsistent with ordinary residential uses. No lot or any part thereof shall be used for a road right-of-way, and there shall be no provision for road right-of-way upon or across any lot, or any part of a lot, unless specifically authorized in writing by the Seller. The undersigned reserves the right and privilege of designating any one or more lots, or parts of lots, to be used for road right-of-way purposes.

2. No structure of a temporary nature such as, but not limited to trailers, basements, tents, shacks, garages, barns or other out buildings shall be used on any lot at any time as a residence either temporarily or permanently, except that structures may be built to maintain horses. Nor shall any residence be occupied until it is completely finished on the exterior and interior and all residences must be completed within twelve (12) months from the time the foundation footing is commenced. All excess building materials and refuse must be removed from the lot within thirty (30) days after occupancy of the residence.

3. Any residence erected on any lot must contain at least one thousand six hundred (1,600) square feet of floor space, excluding porches, eaves, breezeways, and garages, it being the intention of this to require 1,600 square feet of living floor space in each residence.

4. No concrete blocks shall be exposed to view from any elevation of such dwelling house unless veneered with masonry.

5. No building shall be commenced or erected on any lot until the construction plans, specifications and a site plat showing the location of the structure have been approved by the undersigned as to compliance with these restrictions and general harmony with the residences on the other lots. Requests for approval shall be made in writing and shall be deemed to be approved if not rejected or modified by the undersigned within fifteen (15) days after receipt of such written request. Whether expressly stated so or not in deed conveying any one or more of the tracts, each conveyance shall be subject to the zoning requirements of the State of Tennessee and Hamilton County.

6. No hogs shall be kept on any lot. No junk or wrecked cars shall be allowed to remain on any lot.

7. No 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 to the neighborhood. No lot shall be used for commercial use, provided, however, that horses kept on the lot shall not be considered a noxious or offensive activity, or an annoyance to the neighborhood.

File:

Zoning

Prepared By: George H. Grant
Jellison Building
Chatt. Mo. 37402

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8. All driveways must be gravel or paved with either hot-mix asphalt or concrete.

9. No sign of any kind shall be displayed to the public view on any lot except a maximum of two professionally lettered signs of not more than five (5) square feet advertising the property for sale or rent, or signs used by the developer to advertise the lots and developer's adjacent property during the construction or sales period.

10. No trailer shall be allowed on any lot, except that truck campers, travel trailers and horse trailers may be parked on the lots if parked to the rear of the rear line of the residence on the lot. No truck camper or travel trailer may be occupied while parked on any lot.

11. The undersigned hereby reserves the right to waive violations of these restrictions so long as the undersigned owns any of the referenced lots. All waivers and amendments by the undersigned shall be in writing and recorded in the Register's Office of Hamilton County, Tennessee. Any waiver executed by the undersigned would be conclusive proof that the waiver would not materially affect the purpose sought thereby, by the developer. Other owners of lots in the subdivision shall not be entitled to bring suit to enforce the compliance of the original restrictions, where a waiver has been given by the developer unless it is a violation of the restrictions as waived or modified. Nor is the owner entitled to damages from the developer for any waivers granted by it.

12. Any dwelling erected on any lot must front on the street upon which the lot fronts, and must be set back at least thirty five (35) feet from the front line of the lot, and must be set back at least ten (10) feet from the rear lot line and any side lot line.

13. Before any residence on any lot shall be occupied, a septic tank approved by the public authorities for sewage disposal shall be installed. Thereafter, all sewage from the premises shall be turned into such tank and the same shall be continuously maintained in good condition; provided, that upon any approved system of sewers being installed and the proper connection of the residence therewith, said septic tank may be abandoned.

14. Enforcement of these restrictions shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any restrictions herein, either to restrain violation or to recover damages, or both. Any party violating any of these restrictions shall pay all court costs and attorney fees incurred in enforcing these restrictions.

15. Invalidation of any one of these restrictions by judgment of any court or by any court order shall in no manner affect any of the other restrictions or provisions contained herein which shall remain in full force and effect.

16. These covenants are to run with the land and shall be binding on all lot owners and residents for a period of thirty (30) years from the date of this instrument, including the conditions in Paragraph "11" herein.

17. Nothing contained herein is intended to conflict with any present or future zoning ordinance or regulation and, in the event of such conflict, the more restrictive provision shall apply.

MASTER FORM

BOOK 2116 PAGE 186

SPECIAL NOTATIONS ON SUBDIVISION PLAT

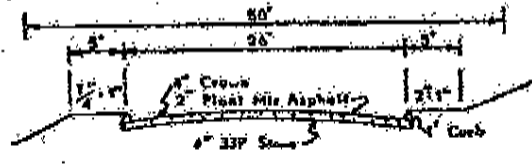
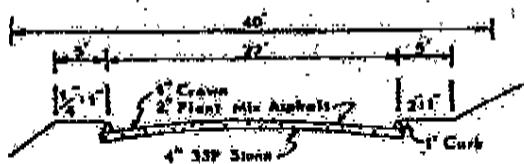
1. Iron pins are to be placed on all corners of lots within the subdivision. Concrete monuments are to be placed at all major corners of the subdivision boundaries.
2. A ten foot (10') drainage easement shall straddle all side and rear property lines. (In the event two or more lots are combined into one lot, the ten foot (10') drainage easement straddling the interior lot lines of that tract is considered to be eliminated.)
The ten foot (10') drainage easement will not apply in cases where the zoning provides for no setback requirements for the property line.
3. Water supply lines are to be located at least ten feet (10') from septic disposal systems and sewer lines, unless, however, site conditions require other distances.
4. All lots shall be approved by the Chattanooga-Hamilton County Health Department prior to issuance of a building permit for that lot.
5. When deemed necessary by the governmental engineer, drainage ways or easements shall be lined with either rock and mortar or concrete.
6. Unless otherwise designated by the governmental engineer, all road radii shall be not less than twenty-five feet (25').
7. Setbacks are normally controlled by zoning. Setbacks other than zoning will be specified on the recorded plat.
8. This subdivision conforms to, but is not limited to, the current subdivision standards and ordinances in regard to lot sizes, setbacks, corner radii, typical road cross sections, and road grades, unless a variance has been approved by due process at the time of, or before, recording of the subdivision plat.

Chattanooga-Hamilton County Regional Planning Commission

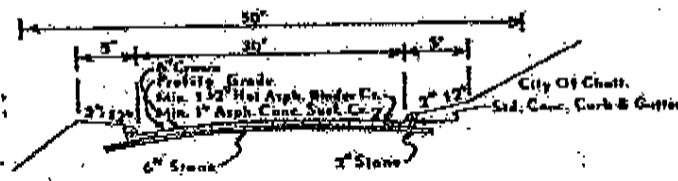
James G. Fitzpatrick
Chief of Current Planning and Operations

TYPICAL CROSS SECTIONS OF MINIMUM STANDARDS FOR RESIDENTIAL STREETS IN:

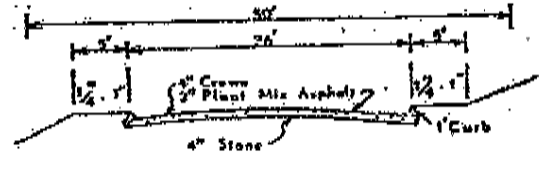
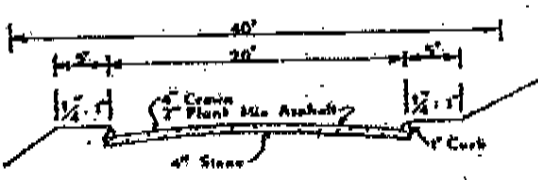
Hamilton County, East Ridge, Soddy-Daisy, and Collegedale



City of Chattanooga



City of Red Bank



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IN WITNESS WHEREOF, the duly authorized attorneys in fact, Joseph W. Morris and Robert L. Morris, Jr., for the heirs of the Edith Glover Estate, have executed these restrictions this 29th day of March, 1984.

Joseph W. Morris
Joseph W. Morris

Robert L. Morris Jr.
Robert L. Morris, Jr.

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

Personally appeared before me, the undersigned, a Notary Public in and for said county and state named above, the within named Joseph W. Morris and Robert L. Morris, Jr., with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal, this 29th day of March, 1984.

[Signature]
Notary Public

My Commission Expires: 11/18/87



G. 4 6 7 1

IDENTIFICATION REFERENCE

APR 2 10 37 AM '85

DOROTHY P. BRAMMER
REGISTER 04/02/85
HAMILTON COUNTY
STATE OF TENNESSEE

MISC

9.00

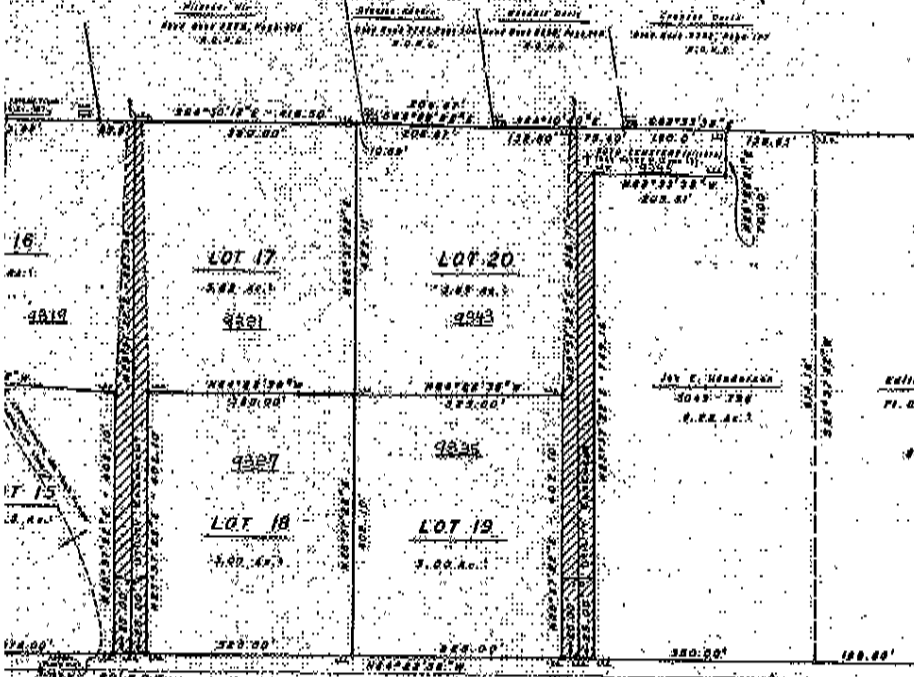
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11. The tract bounded by the Standifer Gap Road...
12. The tract bounded by the Standifer Gap Road...
13. The tract bounded by the Standifer Gap Road...

14. The tract bounded by the Standifer Gap Road...
15. The tract bounded by the Standifer Gap Road...

APPROVED FOR RECORDATION
COUNTY CLERK
PLAT NO. 1484
DATE 01-15-09



STANDIFER GAP ROAD

Area	Acres
5.24	371.00
0.32	179.61



16



Tom Boyd
1111 Morris Lane
Cincinnati, TN 37203

Lot No.	Area (Acres)	Area (Sq. Ft.)
16	5.24	371,000
17	0.32	179,610
18	5.24	371,000
19	0.32	179,610
20	5.24	371,000
21	0.32	179,610
22	5.24	371,000
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96	5.24	371,000
97	0.32	179,610
98	5.24	371,000
99	0.32	179,610
100	5.24	371,000

UNIT TWO
LOTS 11-THRU 20
FINAL

TOM BOYD SUBDIVISION
Being a subdivision of a part of the
Edith Boyd Store property described
Deed Book 2559, Page 703, R.O. H.C.
Hamilton County, Tennessee

BETTS ENGINEERING ASSOC., INC.
1111 MORRIS LANE
CINCINNATI, TENNESSEE 37203

STATE OF TENNESSEE

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COUNTY OF HAMILTON

On this 17th day of July, 1973, before me personally appeared Dr. D. Fitzgerald, 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.

Dr. H. M. Daniel
Notary Public

My Commission expires: 5-10-75

SEAL



B 3 0 8 9 1

IDENTIFICATION REFERENCE

JUL 17 11 12 AM '73

DOROTHY F. BRAMMER
REGISTER
HAMILTON COUNTY
STATE OF TENNESSEE

JUL 17 11 12 AM '73 HISC

C* 4.00 * 4.00