

CANTON HEIGHTS ESTATES SECTION NO. 2 & 2A

RESTRICTIONS

PROPERTY OWNERS OF CANTON HEIGHTS ESTATES SECTION NO. 2 & 2A hereby proclaim that:

WHEREAS, certain restrictions for the Canton Heights Estates Section No. 2 & 2A are of record in the Trigg County Court Clerk's Office in Miscellaneous Book 2, Page 560½ and have been recorded since the inception of this subdivision, and

WHEREAS, the majority of the homeowners of said subdivision have united in an association, hereinafter referred to as CHESHA, the files of which reflect the consents and agreement of its members to continue without interruption, reinstate, amend, publish and record the Restrictions as set forth below.

THEREFORE, the following is set forth as the Restrictions for Canton Heights Estates Section No. 2 & 2A, which shall bind all owners and purchasers of the lots in said subdivision; and shall run with the land described in the respective plat and deeds of lots in this subdivision:

1. These covenants are to run with the land and shall be binding on all persons and parties claiming under them until January 1, 2001, at which time said covenants shall be automatically extended in force and effect for an additional period of ten years, unless by a majority of the owners of the lots it be agreed to change said covenants in whole or in part.

2. For violation of any of the covenants herein set forth any party hereto may prosecute appropriate proceedings under the law of the state of Kentucky, such as for damages or for abatement of a nuisance, or, in case of attempted violation, for prevention and restraint.

3. All lots in said subdivision shall be residential, and shall be so known and designated and described, except those lots designated as commercial on the plot map.

4. No lot may be subdivided without written permission of the owners of the Subdivision.

5. No buildings shall be constructed with any siding material other than finished wood, brick, stone or metal alloys, except for cantilever type construction. Foundations will be continuous around the entire periphery of the structure, except for spaces for doors and windows if such are used.

- 1 -

LODGED FOR RECORD
AT 11:00 A M

APR 09 2003

REG. FEE 9.00 TAX
TRIGG COUNTY

WANDA H. THOMAS, CLERK
BY D.C.

Picked up by Dorothy Wilcox

6. All property owners must install entrance pipe at lot entrance if needed.

7. No lot shall have a "FOR SALE" sign erected thereon.

8. No building shall be erected, placed or permitted to remain on a lot other than a single family dwelling, with a garage, garden house and boathouse, (if such buildings be desired by the owner), such garage and boathouse to conform, as to materials, to the requirements for the dwelling, if on the same lot.

9. No residence shall contain, in one story construction, less than eight hundred (800) square feet, exclusive of porches, car port, garage and basement. If two story construction is used, the house shall not contain less than twelve hundred (1200) square feet, exclusive of porches, car port, garage and basement. All buildings used as residence shall have running water and bathroom facilities.

10. The height of any house shall be no more than two stories above the basement.

11. All homes shall be of new construction at the house-site.

12. All buildings will be at least seven and one-half feet back from the property line except when two or more lots have been combined or rearranged, the seven and one-half feet clearance will apply to the periphery of the lot or lots only.

13. Easements are reserved along and within five (5) feet of the rear lines, front lines and side lines of all lots in this Subdivision for the construction and maintenance of conduits, poles, wires and fixtures for electric lights, telephones, water mains, sanitary and storm sewers, road drains, and other public and quasi-public utilities and right to trim trees which interferes with said utilities and maintenance of such lines, said easement to also extend along any owner's side and rear property line in the case of fractional lots.

14. No lot shall be used as a storage depot for building material except during the actual construction period of the house and this period of construction shall not exceed twelve (12) months.

15. The minimum building requirements as set forth in these restrictions shall be fulfilled within a period of twelve (12) months from the beginning of construction of the house.

16. There shall be no trailer, mobile home of any type, tent, garage or other outbuildings used as a residence, and no trailer, mobile home of any type, tent, or the like shall be placed on a lot except where needed while construction work is in progress, and not for more than four (4) months for said purpose.

17. No animals, livestock or poultry of any kind shall be raised, bred, or kept on any lot except household pets.

18. No lots shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary container.

19. There will be no stand pipes other than for community service.

20. Residential buildings shall be used only as such, and no noxious trade or activity shall be engaged in on any lot, nor shall there be anything constituting a nuisance or a source of annoyance to the neighborhood.

21. If any of the covenants and restrictions herein set forth shall be judicially invalidated, all the others shall remain in full force and effect.

IN WITNESS WHEREOF the majority of the homeowners and the Canton Heights Estates Section No. 2 & 2 A, CHESHA, publish these RESTRICTIONS this 9th day of April, 2003.

Dorothy D. Wilcox

Index: under Canton Heights Estates Section No. 2 & 2A and RESTRICTIONS.

STATE OF KENTUCKY
COUNTY OF TRIGG, SCT:
I, WANDA H. THOMAS, Trigg County Clerk,
do certify that the foregoing Restrictions
was on this day at 11:00 A m. Lodged in my
office for record. Where upon I have recorded
the same with this certificate in my said office
in Misc Book # 40 Page 500
Given under my hand this 9 day of
April 20 03.
Wanda H. Thomas CLERK
WT DEPUTY