

DECLARATIONS OF RESTRICTIONS, EASEMENTS
AND RESERVATIONS PERTAINING THERETO
THE CLIFFS SUBDIVISION

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, J.C. Calvert and Fern Calvert, his wife, do hereby covenant and agree to and with all persons, firms or corporations now owning or hereafter acquiring any property or lots in The Cliffs Subdivision, which is located on KY 259 approximately 1 1/2 miles west from West View, Breckinridge County, Kentucky, are hereby subject to the following restrictions as to the use thereof, running with said property, by whomsoever owner, to-wit:

1) No building whether it be a dwelling, garage or out building shall be erected nearer than fifty (50) feet to any street or road in the subdivision, nearer than ten (10) feet to the side lot or tract line of any adjoining owner, and no more than one (1) dwelling shall be erected on any one lot or tract. Each lot or tract shall have a culvert of no less than 12 inches under the driveway serving that lot or tract, to be installed by the lot or tract owner.

2) No main dwelling shall be erected on any lot or tract in said subdivision that has less than 800 square feet of floor space on the ground floor thereof, exclusive of porches, carports, and other areas which are not used exclusively for living space and shall not be occupied until the exterior is fully completed. All dwellings erected within subdivision shall be completed within twelve (12) months of the start of construction.

3) The exterior walls of all dwellings on the lots or tracts in said subdivision shall be of brick, stone, or wood either treated or painted including redwood, additionally the appurtenant structure(s) on said lots may be factory built metal structures with a galvanized or enamel exterior designed for on site erection, and NO rolled siding, brick siding, or rolled roofing shall be used. All dwellings shall be single unit family dwellings and no mobile homes, tents, basements or other temporary structures shall be allowed on any lot without written permission of the developer.

270.547.4244

6

4) No outdoor toilets or privys shall be erected on any lot or tract within the said subdivision, and the laws of the State of Kentucky, County of Breckinridge, and any other legal subdivision in which said lands are now or hereafter located, as well as the Rules and Regulations of their administrations, agencies, and officials now or hereafter in effect with regard to zoning, sewage, disposal and sanitation, and water supply are hereby incorporated herein and made a part hereof, and any state, county or other official having the administrative duty to inspect the property of the subdivision from time to time to make such an inspection.

5) Easements and right-of-way are hereby expressly reserved for the creation, construction and maintenance of utilities such as water, telephone, electricity, sewage and all necessary drains, public, quasi-public and private, as well as for any public quasi-public function being necessary or expedient by the owners by the public health and welfare. Such easements and right-of-way shall be reserved to the ten (10) feet adjoining any lot or tract line or street line in the said subdivision.

6) No lot or tract within the said subdivision shall ever be used or occupied for trade, commerce or business of any kind whatever, except at the discretion of the developer.

7) The restrictions, easements and reservations hereinabove set out are made and imposed for the benefit of the present owners of the property hereinabove described, and their heirs, successors and assigns, and they, and each of them, upon breach of any of the above restrictions, easements and reservations, shall be entitled to apply for relief by injunction or any other remedy available at law or in equity. The failure of a party to enforce a restriction, easement or reservation, shall not be deemed to be a waiver of the right to do so at any time thereafter as to the same, a prior or subsequent breach, nor shall the present owners be held liable or responsible for the enforcement of any restrictions, easements or reservations.

8) No lot or tract shall be divided or diminished in size unless the same shall be used with an adjacent lot or tract for the purpose of construction one (1) dwelling thereon.

7

9) All lots and tracts must be properly maintained. No dumping of rubbish, trash or any other waste including junk automobiles is allowed. The developers reserve the right to approve or disapprove appearance and condition of any lot or tract.

10) The purchaser of each lot or tract agrees that he will not use or permit the use of said lot or tract, nor sell any part thereof, for a passageway leading from the road or street to any adjoining property.

11) It is further understood and agreed that all lots and tracts in the subdivision shall be assessed by the developer annually for maintenance in the sum of \$75.00 per lot or tract which shall be applied to the maintenance of the roads. The proceeds from said annual maintenance shall be expended at the discretion of the developer, their successors or assigns. The foregoing annual charge shall constitute a lien upon each lot or tract until paid. However this lien shall be second and inferior to any subsequent valid mortgage or vendor's lien against any lot or tract, and the developer does hereby subordinate the same. It is understood and agreed that the aforementioned assessment will continue until the maintenance of said roads are assumed by Breckinridge County or the State of Kentucky or when two-thirds (2/3) of acreage is sold, property owners may establish an association to provide for road maintenance.

IN TESTIMONY WHEREOF, witness our hands this 17th day of March, 1987.

J. C. Calvert
J. C. CALVERT

Fern Calvert
FERN CALVERT

Subscribed and sworn to before me by J. C. Calvert and Fern Calvert, his wife, on this the 17th day of March, 1987.

My commission expires Oct 1, 1990

Virginia P. Miller
NOTARY PUBLIC
BRECKINRIDGE COUNTY, KENTUCKY

THIS INSTRUMENT PREPARED BY:
BRITE & BUTLER
ATTORNEYS AT LAW
HARDINSBURG, KENTUCKY

R. Brite

RECORDING FEE \$5.50

STATE OF KENTUCKY, COUNTY OF BRECKINRIDGE, SCT.

I, CHARLES ALLEN WILSON, Clerk of the County and State aforesaid, do certify that the foregoing instrument was on the 10th day of Nov, 1987, at 9:30 A.M., lodged for record, whereupon the same with the foregoing and this certificate have been duly recorded in my said office in deed Book 182 , Page 5 .
Given under my hand this 10th day of Nov, 1987.

CHARLES ALLEN WILSON, CLERK

BY Linda Fitch D.C.