

RESTRICTIONS

THE FOLLOWING RESTRICTIONS ARE MADE COVENANTS RUNNING WITH THE TITLE TO THE LOTS SHOWN HEREON FOR A PERIOD OF TWENTY (20) YEARS FROM THE DATE OF RECORDATION OF THIS PLAT.

1. LOTS SHOWN HEREON ARE FOR RESIDENTIAL PURPOSES ONLY.
2. THE GRADE AND DRAINAGE FOR IMPROVED YARDS AND ALONG EASEMENTS RESERVED FOR THAT PURPOSE SHALL NOT BE ALTERED OR OBSTRUCTED BY LOT OWNER OR OWNERS UNLESS SAID ALTERATION IS IN ACCORDANCE WITH A PLAN OF A CERTIFIED ENGINEER, ARCHITECT OR LANDSCAPE ARCHITECT WHICH PROVIDES ADEQUATE PIPE OR DRAINAGE STRUCTURES AS NEEDED FOR THE DISPOSITION OF STORM WATER, NOR SHALL SUCH ALTERATIONS BE ALLOWED UNLESS AGREED TO IN WRITING BY THE OWNER OR OWNERS OF THE ADJOINING LOTS OR THOSE DIRECTLY AFFECTED IN THIS SUBDIVISION.
3. NO PART OF ANY BUILDING OTHER THAN STOOPS SHALL BE LOCATED NEARER TO THE FRONT OR SIDE STREET THAN THE BUILDING LINE SHOWN ON THIS PLAT.
4. NO FOWL, HOGS, GOATS OR OTHER OBNOXIOUS ANIMALS SHALL BE PERMITTED ON ANY LOT SHOWN HEREON.
5. NO FENCE, WALL, HEDGE, OR SHRUB PLANTING SHALL EXTEND MORE THAN 10 FEET FROM THE FRONT LOT CORNERS ALONG THE FRONT LOT LINE AND/OR THE SIDE LOT LINE, OR BE MORE THAN 3 FEET IN HEIGHT. A HEDGE, FENCE OR WALL MAY BE ERRECTED ALONG THE SIDE LINES OF ANY LOT BEGINNING AT THE REAR OF THE HOUSE AND EXTENDING TO THE REAR LINES OF LOT AND ALONG THE REAR LOT LINE OF ANY LOT HIGHER THAN 3 FEET FOR THE PURPOSE OF GIVING PRIVACY TO THE REAR PORTION OF EACH LOT. ON ANY CORNER LOT, NO FENCE SHALL BE PLACED IN THE REAR OF ANY LOT ADJOINING ANY STREET LINE UNLESS THE FENCE IS LOCATED BEHIND THE STREET SIDE BUILDING SET BACK LINE AS SHOWN ON THE RECORDED PLAT OF SECTION NO. 10, PENN FOREST.
6. NO RESIDENCE SHALL BE CONSTRUCTED ON ANY LOT OR PORTIONS OF LOTS WHOSE LIVABLE AREA IS LESS THAN 1,450 SQUARE FEET EXCLUSIVE OF PORCHES AND CARPORTS.
7. NO GARAGES OR MANUFACTURED TRAILERS, EITHER SINGLE OR DOUBLE WIDE SHALL BE USED AS LIVING QUARTERS NOR SHALL ANY TEMPORARY LIVING QUARTERS OF ANY NATURE BE PERMITTED.
8. THE FOREGOING BUILDING RESTRICTIONS AND CONDITIONS ARE SUBORDINATED TO AND THE VIOLATION OF THE SAME ARE SUBORDINATED TO ANY LOAN NOW OR HEREAFTER PLACED ON ANY LOT IN THIS SUBDIVISION.
9. REGION PROPERTIES, INC., ITS SUCCESSORS OR ASSIGNS RESERVE THE RIGHT TO WAIVE OR MODIFY ANY OF THE COVENANTS AND RESTRICTIONS HEREINABOVE IMPOSED FOR THE PURPOSE OF PERMITTING ANY LOAN PLACED UPON ANY LOT IN SAID SUBDIVISION TO BECOME A FIRST LIEN THEREON, AND RESERVES TO ITSELF, ITS SUCCESSORS OR ASSIGNS, THE RIGHT TO RELOCATE, CHANGE OR MODIFY ANY MINIMUM BUILDING SETBACK LINE SHOWN ON THE AFORESAID PLAT OR THE RECORDED AGREEMENT IMPOSING RESTRICTIONS ON SECTION NO. 10, "PENN FOREST".
10. EXISTING PLANTING ALONG MERRIMAN ROAD ON LOTS 6, 7, 16, 17, 19, 20, 21, & 22, BLOCK KK, WILL BE USED AS SCREENING AND SHALL NOT BE REMOVED.

KNOW ALL MEN BY THESE PRESENTS, TO WIT:

THAT REGION PROPERTIES, INC. IS THE FEE SIMPLE OWNER AND PROPRIETOR OF THE LAND SHOWN HEREON TO BE SUBDIVIDED, KNOWN AS SECTION NO. 10, "PENN FOREST" SUBDIVISION, BOUNDED AS SHOWN HEREON IN DETAIL BY OUTSIDE CORNERS 1 THRU 28 TO 1, INCLUSIVE, WHICH COMPRISES A PORTION OF THE LAND CONVEYED TO SAID OWNER BY DEED FROM THE D. M. TAYLOR ESTATE RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ROANOKE COUNTY IN DEED BOOK 789 PAGE 314.

THE SAID OWNER CERTIFIES THAT IT HAS SUBDIVIDED THIS LAND, AS SHOWN HEREON, ENTIRELY WITH ITS OWN FREE WILL AND CONSENT PURSUANT TO AND IN COMPLIANCE WITH SECTIONS 15-779 THROUGH 15-794.3 OF THE VIRGINIA CODE OF 1950, AS AMENDED TO DATE, AND FURTHER PURSUANT TO AND IN COMPLIANCE WITH THE COUNTY OF ROANOKE "LAND SUBDIVISION ORDINANCES." THE SAID OWNER DOES, BY VIRTUE OF THE RECORDATION OF THIS PLAT, DEDICATE IN FEE SIMPLE TO THE COUNTY OF ROANOKE ALL THE LAND EMBRACED WITHIN THE STREETS OF THIS SUBDIVISION AND ALL THE EASEMENTS ARE HEREBY DEDICATED FOR PUBLIC USE.

THE SAID OWNER DOES AS A CONDITION PRECEDENT TO THE APPROVAL OF THIS PLAT AND SUBDIVISION AND THE ACCEPTANCE OF THE DEDICATION OF THE STREETS SHOWN HEREON BY THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, ON ITS OWN BEHALF AND FOR AND ON ACCOUNT OF ITS HEIRS, SUCCESSORS, DEVISEES AND ASSIGNS, SPECIFICALLY RELEASES THE COUNTY AND THE VIRGINIA DEPARTMENT OF HIGHWAYS FROM ANY AND ALL CLAIM OR CLAIMS FOR DAMAGES WHICH SUCH OWNER, ITS HEIRS, SUCCESSORS, DEVISEES AND ASSIGNS MAY OR MIGHT HAVE AGAINST THE COUNTY OR VIRGINIA DEPARTMENT OF HIGHWAYS BY REASON OF ESTABLISHING PROPER GRADE LINES ON AND ALONG SUCH STREETS AS SHOWN ON THIS PLAT OF THE LAND SUBDIVIDED (OR SUCH CHANGED STREETS AS MAY BE AGREED UPON IN THE FUTURE) AND BY REASON OF DOING NECESSARY GRADING, CUTTING OR FILLING FOR THE PURPOSE OF PLACING SUCH STREETS UPON THE PROPER GRADE AS MAY, FROM TIME TO TIME, BE ESTABLISHED BY SAID COUNTY OR VIRGINIA DEPARTMENT OF HIGHWAYS, AND SAID COUNTY OR VIRGINIA DEPARTMENT OF HIGHWAYS SHALL NOT BE REQUIRED TO CONSTRUCT ANY RETAINING WALL OR WALLS ALONG THE STREET AND PROPERTY LINES THEREOF.

IN WITNESS WHEREOF IS HEREBY PLACED THE SIGNATURE OF THE SAID CORPORATION BY M. L. STRAUSS, ITS PRESIDENT, WITH ITS CORPORATE SEAL HEREUNTO AFFIXED AND DULY ATTESTED BY HORACE G. FRALIN, ITS SECRETARY. THIS THE 16 DAY OF May, 1977.

REGION PROPERTIES, INC.

BY: M. L. Strauss

PRESIDENT

ATTEST: Horace G. Fralin

SECRETARY

CORPORATE

SEAL

APPROVED:

Robert W. Hooper
SECRETARY - ROANOKE COUNTY PLANNING COMMISSION

5-24-77
DATE

William J. Smith
AGENT - ROANOKE CITY PLANNING COMMISSION

5-27-77
DATE

Thomas J. Brady
CITY ENGINEER - ROANOKE, VIRGINIA

5-27-77
DATE

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ROANOKE COUNTY, VIRGINIA, THIS PLAT WITH THE CERTIFICATE OF ACKNOWLEDGEMENT THERETO ANNEXED IS ADMITTED TO RECORD ON May 3, 1977, AT 3:25 O'CLOCK P.M.

Wendell H. Miller
DEPUTY CLERK

PLAT OF
SECTION NO. 10
PENN FOREST
SITUATE IN THE
CAVE SPRING MAGISTERIAL DISTRICT
OF
ROANOKE COUNTY VIRGINIA

PROPERTY OF
REGION PROPERTIES, INC.
DATE: APRIL 21, 1977, SCALE: 1"=100'

BUFORD T. LUMSDEN & ASSOCIATES, P.C.
CERTIFIED LAND SURVEYORS
ROANOKE VIRGINIA

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY IS CORRECT.
John W. Lumsden
CERTIFIED LAND SURVEYOR

STATE OF VIRGINIA TO WIT:
CITY OF ROANOKE

A NOTARY PUBLIC IN AND FOR THE AFORESAID CITY AND STATE DO HEREBY CERTIFY THAT M. L. STRAUSS AND HORACE G. FRALIN, PRESIDENT AND SECRETARY, RESPECTIVELY, OF REGION PROPERTIES, INC., WHOSE NAMES AS SUCH ARE SIGNED TO THE FOREGOING WRITING DATED May 16, 1977 HAS EACH PERSONALLY APPEARED BEFORE ME IN MY AFORESAID CITY AND STATE AND ACKNOWLEDGED THE SAME ON May 16, 1977.

MY COMMISSION EXPIRES ON May 16, 1977.
John W. Lumsden
NOTARY PUBLIC

