

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 ALTERNATION 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 ALTERNATIONS BE ALLOWED UNLESS AGREED TO IN WRITING BY THE OWNER OR OWNERS OF THE ADJOINING LOTS OR THOSE DIRECTLY AFFECTED IN THIS SUBDIVISION, OR ANY LAND OWNER UPSTREAM FROM SAID DRAINAGE/OR EASEMENT.
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 OR DIVIDER OF ANY KIND SHALL BE CONSTRUCTED ON ANY LOT FORWARD OF THE REAR LINE OF THE HOUSE. A HEDGE, FENCE OR WALL NO HIGHER THAN 3 FEET MAY BE ERRECTED ALONG THE SIDE LINES OF ANY LOT BEGINNING AT THE REAR OF THE HOUSE AND EXTENDING TO THE REAR LINES OF THE LOT AND ALONG THE REAR OF EACH LOT. IF OTHER THAN A CHAIN LINK FENCE OR SHRUB PLANTING, THE OUTWARD SIDE (SIDES) OF SAID DIVIDER MUST BE OF A FINISHED NATURE EQUAL TO, OR SURPASSING, THE FINISH ON THE INWARD SIDE (SIDES) OF SAID DIVIDER. 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. 17 PENN FOREST.
6. NO RESIDENCE SHALL BE CONSTRUCTED ON ANY LOT OR PORTIONS OF LOTS WHOSE LIVABLE AREA IS LESS THAN THE FOLLOWING SQUARE FOOTAGE: 1900 FOR 1 STORY; 1500 FOR A 1 1/2-LEVEL OR 2 STORY; 1600 FOR 1 1/2 STORY WITH A MINIMUM OF 1200 ON THE MAIN FLOOR; 1600 FOR SPLIT LEVEL HOME WITH A MINIMUM OF 1200 ON THE UPPER 2 FLOORS.
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 HEREIN ABOVE IMPOSED 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. 17, "PENN FOREST".

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. 17, "PENN FOREST" SUBDIVISION, BOUNDED AS SHOWN HEREON IN DETAIL BY OUTSIDE CORNERS 1 THRU 18 TO 1, INCLUSIVE, WHICH COMPRISES A PORTION OF THE LAND CONVEYED TO SAID OWNER BY DEED FROM F.S.P. CORPORATION, DATED MARCH 1, 1979, RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ROANOKE COUNTY IN DEED BOOK 1116 PAGE 440.

THE SAID OWNER CERTIFIES THAT IT HAS SUBDIVIDED THIS LAND, AS SHOWN THEREON, ENTIRELY WITH ITS OWN FREE WILL AND CONSENT AND 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 ARE HEREBY PLACED THE SIGNATURES 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, ON THIS THE DAY OF _____, 1983.

REGION PROPERTIES, INC.

BY: M. L. Strauss
PRESIDENT

ATTEST: Horace G. Fralin
SECRETARY

STATE OF VIRGINIA
CITY OF ROANOKE

TO WIT:

I, Charles B. Smith, 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 4/12/83, 1983, HAS EACH PERSONALLY APPEARED BEFORE ME IN MY AFORESAID CITY AND STATE AND ACKNOWLEDGE THE SAME ON 4/12/83, 1983.

MY COMMISSION EXPIRES ON Jan 19, 1985
Charles B. Smith
NOTARY PUBLIC

APPROVED:

Arnold Combs
AT. SECRETARY, ROANOKE COUNTY PLANNING COMMISSION

23 April 1983
DATE

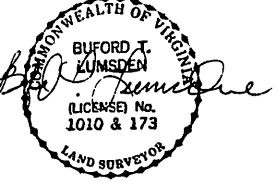
IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ROANOKE COUNTY, VIRGINIA, THIS PLAT WITH THE CERTIFICATE OF ACKNOWLEDGEMENT THERETO ANNEXED IS ADMITTED TO RECORD ON 4-28 1983, AT 3:30 O'CLOCK P.M.

TESTEE: ELIZABETH W. STOKES, CLERK

BY: Elizabeth W. Stokes
DEPUTY CLERK

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY IS CORRECT.

B. O. P. Lumsden
CERTIFIED LAND SURVEYOR



PLAT OF
SECTION No. 17
PENN FOREST
SITUATED IN
CAVE SPRING MAGISTERIAL DISTRICT
ROANOKE COUNTY, VIRGINIA
PROPERTY OF:
REGION PROPERTIES, INC.
SCALE: 1" = 100' DATE: 31 MAR. 1983
BUFORD T. LUMSDEN & ASSOCIATES, PC.
CERTIFIED LAND SURVEYORS
ROANOKE, VIRGINIA

*78-215

SHEET #1 of 2