

RESERVATIONS AND
RESTRICTIONS

- ① All the lots on this MAP as enumerated in the TITLE, hereon, shall be used for RESIDENTIAL PURPOSES only, and not for COMMERCIAL PURPOSES, and the said property shall not be used for any purpose that will create a nuisance or annoyance in the neighborhood.
- ② No Residence Lot shall be subdivided into building lots, except that a lot may be divided and added to adjoining lots.
- ③ No dwelling shall be erected or placed on any lot nearer to the street than the minimum setback line shown hereon.
- ④ Easements for installation and maintenance of Utilities are reserved where shown hereon.
- ⑤ No structure of a temporary character, such as a trailer, basement, tent, shack, garage, barn, or other outbuilding, shall be used on any lot, at any time, as a residence, either temporarily or permanently.
- ⑥ No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage, or other waste, except in sanitary containers.
- ⑦ No dwelling shall be permitted on any lot facing Preston Ave., N.E. at a cost of less than \$11,500, or facing Christian Ave., N.E. at a cost of less than \$11,000, based upon the cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenant to assure that all dwellings shall be of a quality of workmanship and materials, substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein. The above costs pertain to construction cost.
- ⑧ These covenants are to run with the land, and shall be binding on all parties and all persons claiming under them, for a period of twenty five years from the date of recordation of this map, after which time said covenants shall be automatically extended for successive periods of ten years, unless an instrument, signed by the majority of the owners of the lots has been recorded, agreeing to change said covenants in whole or in part.
- ⑨ Enforcement shall be by proceedings at law or in equity against any person, or persons, violating, or attempting to violate any covenant, either to restrain violation, or to recover damages.
- ⑩ Violation or invalidation of any one of these covenants by judgment or court order, shall in no wise affect any of the other provisions which shall remain in full force and effect.
- ⑪ No house shall be erected on any lot, exceeding two stories in height, and a one or two car garage, and not more than one such dwelling house shall be erected on any lot.

KNOW ALL MEN BY THESE PRESENTS:

That R. Douglas Nininger, Ruth M. Nininger, and Mrs. Lena M. Nininger are the owners of the land shown hereon, subdivided into lots, being lots 1 to 12 inclusive, Block 1, and lots 1 to 5 inclusive, Block 2, known as Map of Section No. 1, Fleming Oaks.

The said owners further certify, that they hereby dedicate the streets and avenues shown hereon to the public and convey same to the City of Roanoke in fee simple.

The said owners further certify, that they have subdivided this land into the lots as shown hereon, entirely with their own free will and consent, as required by the 1950 Code of Virginia, under Section 15-797, thereto applying.

In witness whereof, are hereby placed the signatures and seals of the said owners on May 21, 1956.

R. Douglas Nininger (Seal)
OWNER

Ruth M. Nininger (Seal)
OWNER

Lena M. Nininger (Seal)
OWNER

City of Roanoke-

State of Virginia, I, Mary Linda M. Smiley, a Notary Public in and for the aforesaid City and State, do hereby certify that R. Douglas Nininger, Ruth M. Nininger and Mrs. Lena M. Nininger, whose names are signed to the foregoing writing, dated May 21, 1956, have personally appeared before me, in my said City and State on this 21 day of May 1956, and acknowledge the same.

My Commission expires - Jan. 15, 1957.

Mary Linda M. Smiley Notary Public

In the Clerk's Office of the Hustings Court for the City of Roanoke, Va., this Map is presented on May 24, 1956, and with the Certificate of Dedication and Acknowledgement, thereto annexed, is admitted to Record at 4:50 o'clock, P.M.

Teste: W. H. Carr, Clerk

W. H. Carr Deputy Clerk.



M.B. W6-54
Chkd: C.M.M.

BOUNDARY DATA: SECT. No. 1 - FLEMING OAKS = 5.63 Ac.

LINE	BEARING	DISTANCE	N	S	E	W
1-2	N 82° 38' W	390.61	50.08			387.33
2-3	S 7° 28' E	136.74		135.58	17.77	
3-4	N 11° 13' W	52.32	51.32			10.18
4-5	N 14° 58' W	556.62	537.74			143.75
5-6	N 75° 02' E	263.36		254.43		
6-7	S 80° 38' E	196.93		32.05	194.30	
7-8	S 7° 42' W	142.71		141.42		19.12
8-9	N 83° 50' W	10.47	1.12			10.41
9-10	N 84° 26' W	12.82	1.24			12.76
10-11	S 16° 55' W	36.23		34.66		10.54
11-12	S 80° 38' E	243.60		39.65	240.35	
12-13	S 7° 22' W	183.93		182.41		23.58
13-14	N 81° 38' W	70.01	10.19			69.26
14-1	S 7° 22' W	155.13		153.85		19.89
TOTALS			719.69	719.62	706.85	706.88

CURVE DATA

CURVE LOT BLK.	ANGLE	TAN	RAD	ARC	BEARING	DISTANCE
A 8 1	67° 40'	20.11	30.0	35.43	N 48° 48' W	33.41
B 1 1	79° 27'	24.93	30.0	41.60	N 24° 45' E	38.35
C 1 2	100° 33'	36.10	30.0	52.65	N 65° 14' E	46.15
D -	34° 53'	84.83	270.0	164.38	N 81° 55' E	161.85
" 1 1	7° 03' 40"	16.66	"	33.27	N 68° 00' 50" E	33.25
" 2 1	18° 27' 20"	43.86	"	86.97	N 80° 46' 20" E	86.59
" 3 1	9° 22'	22.12	"	44.14	S 85° 19' E	44.09
E -	31° 05'	91.77	330.0	179.03	S 80° 01' W	176.84
" 1 2	6° 50'	19.70	"	39.33	S 67° 54' W	39.30
" 2 2	11° 07'	32.11	"	64.06	S 76° 52' W	63.96
" 3 2	10° 54'	31.48	"	62.78	S 87° 53' W	62.68
" 4 2	2° 14'	6.43	"	12.86	N 85° 33' W	12.86
F Pts. 9 & 18	9° 48'	42.865	500.0	85.52	S 79° 32' E	85.42
F Pts. 9 & 8	1° 12'	5.235	"	10.47	S 83° 50' E	10.47
F Pts. 8 & 18	8° 36'	37.535	"	75.05	S 78° 56' E	74.98
G Pts. 17 & 16	6° 00'	26.205	500.0	52.36	S 77° 38' E	52.33
H Pts. 3 & 4	7° 30'	26.22	400.0	52.36	N 11° 13' W	52.32

NOTE: IRON PINS AT ALL LOT CORNERS

NOTE:

See Approved plan and profile of dedicated Streets, dated May 15, 1956 and approved March 20, 1956 prepared by C.B. Malcolm & Son, Engrs., and on file in the Office of the City Engineer.

CAPTION LEGAL REFERENCE:

Section No. 1, Fleming Oaks is composed of the south 4.63 Ac. of conveyance to R. Douglas Nininger et ux (D.B. 959, Pg. 200); and N. part of Lot 6, Blk. 7, Section No. 1, Brentwood to R. Douglas Nininger by deed dated March 20, 1956 and recorded MAY 23, 1956; and N.W. part of Lot 5, Blk. 2, Glen Eden to R. Douglas Nininger by deed dated March 20, 1956 and recorded D.B. 980, Pg. 91; and 0.74 Ac. of conveyance to Mrs. Lena M. Nininger (Salem D.B. 204-Pg. 209); and 0.19 Ac. of Vacated Road (Ordinance #12724 dated May 14, 1956).

NOTE: This map supercedes and renders null and void original lots 1, 2, 3, 4, & 5, Block 2 Glen Eden, 3" P.B. 2-Pg. 8.

APPROVED:

J. R. Hildebrand Date May 24, 1956
Agent for Roanoke City Planning Commission

H. Clatus Broyles Date 5-24-56
City Engineer of Roanoke, Va.

MAP OF SECTION No. 1
FLEMING OAKS

BEING

LOTS 1 To 12 INCLUSIVE - BLOCK 1 AND
LOTS 1 To 5 INCLUSIVE - BLOCK 2

PROPERTY OF

R. DOUGLAS NININGER, RUTH M. NININGER
AND MRS. LENA M. NININGER

ROANOKE CITY, VIRGINIA

By: C. B. MALCOLM & SON
VA. CERT. ENGRS. & SURV.

Date - May 15, 1956

Scale - 1" = 50'