

RESERVATIONS AND RESTRICTIONS

The following Reservations and Restrictions are made covenants running with the title of the land shown hereon subdivided, known as Section No. 9, Fleming Oaks, and shall be binding upon all parties and 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.

1. All lots shown hereon shall be used for residential purposes only, and not for commercial purposes, and 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 having an average width of less than 70 feet, and not nearer to the street line than the minimum setback line (B.L.) where 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 residence may be erected on any lot shown hereon whose building cost for labor and materials is less than \$12,000 or the equivalent value of \$12,000 on date of recordation of this map, said house to have an enclosed living area not less than 1200 sq. ft., on the two top levels of a split level house, and on the main floor of a ranch style, and on the main floor of a splasher, exclusive of carport, porches, breezeway, and attached garage, except that said enclosed living area shall have not less than 1100 sq. ft., where the area of carport, porches, breezeway, or garage is equivalent to or more than 250 sq. ft. The major portion of exterior vertical surfaces of residences are to be brick or stone masonry, except walls on cantilevered sections of split level houses.
8. 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.
9. Enforcement of these covenants shall be by proceedings at law or inequity 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 judgement or court order, shall in no wise affect any of the other provisions which shall remain in full force and effect.

KNOW ALL MEN BY THESE PRESENTS

That R. Douglas Nininger and Ruth M. Nininger, his wife, are the fee simple owners and proprietors of the land hereon shown to be subdivided, bounded as shown hereon in detail by outside corners 1 to 13, inclusive; to be known as Section No. 9, Fleming Oaks, and said land is not subject to any lien or encumbrance.

The undersigned owners certify that the said subdivision as appears on this plat is with the consent and in accordance with the desire of the undersigned parties. The said owners hereby dedicate to and vest in the City of Roanoke, wherein said land lies such portions of the premises as are on this plat set apart for streets, easements, or other public uses, or for future street widening in accordance with the provisions of the Subdivision Ordinance of the City of Roanoke, as amended, and the Virginia Land Subdivision Act.

Witness the following signatures and seals of said Owners on this 24 day of April, 1962.

R. Douglas Nininger (Seal) 4-24-62 Ruth M. Nininger (Seal) 4-24-62
Owner Date Owner Date

State of Virginia } To wit:
City of Roanoke }

I, Mary Linda M. Smiley, a notary public in and for the City and State aforesaid, do hereby certify that R. Douglas Nininger and Ruth M. Nininger, whose names are signed to the foregoing writing dated April 24, 1962, have each personally appeared before me in my city and state aforesaid and acknowledged the same.

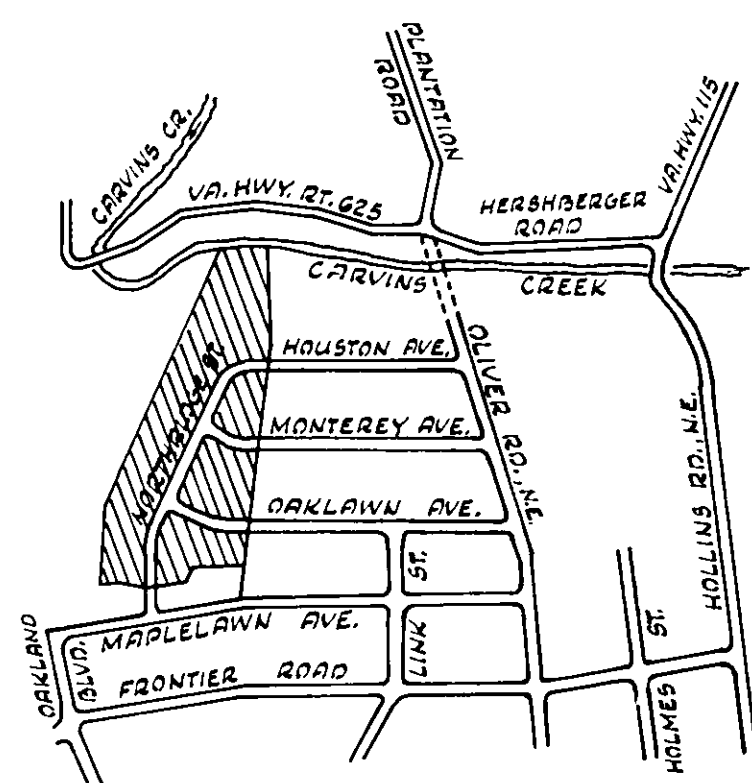
My Commission expires: Jan. 2, 1965.

Given under my hand this 24 day of April, 1962.

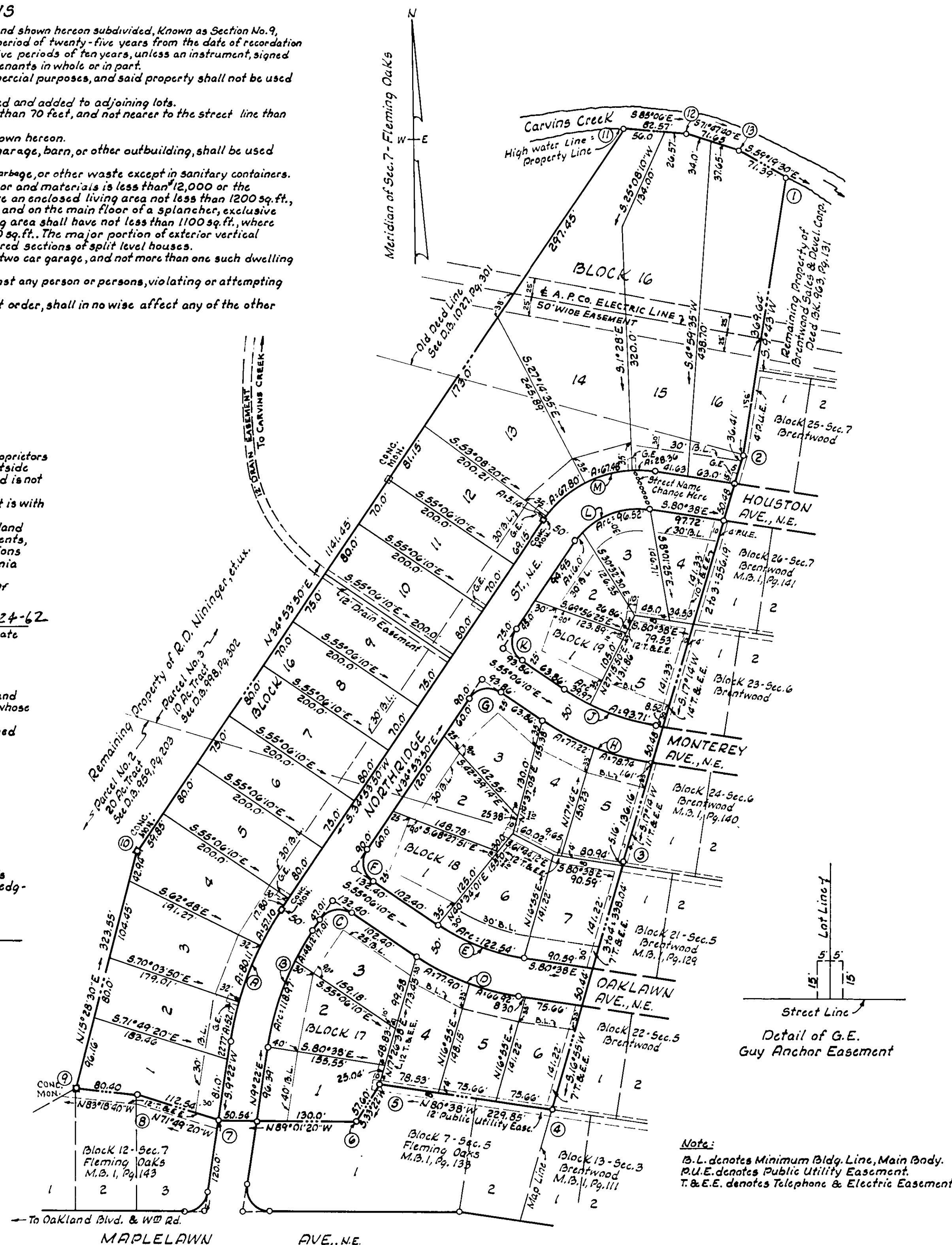
Mary Linda M. Smiley
Notary Public

In the Clerk's Office of the Hastings Court for the City of Roanoke, Virginia, this map is presented on May 21, 1962, and with the certificate of dedication and acknowledgment thereto annexed is admitted to record at 12:50 o'clock P.M.

Teste: Walker R. Bates, Jr. By Lena Westerman
Clerk Deputy Clerk



LOCATION MAP
Scale: 1"=800'



Note:
B.L. denotes Minimum Bldg. Line, Main Body.
P.U.E. denotes Public Utility Easement.
T. & E.E. denotes Telephone & Electric Easement.

APRIL 10, 1962
I, hereby certify that this plat of survey is correct.
C.B. Malcolm
State Cert. Surveyor

CURVE DATA					CHORD		
Curve Lot Blk	Angle	Tan.	Radius	Arc	Bearing	Dist.	
A 16	25°31'50"	96.27	425.0	189.38	N22°07'55"E	187.81	
A 2 16	7°02'00"	26.12	425.0	52.17	N12°53'E	52.14	
A 3 16	10°48'00"	40.17	425.0	80.11	N21°48'E	79.99	
A 4 16	7°41'50"	28.59	425.0	57.10	N31°02'55"E	57.05	
B 17	25°31'50"	84.96	375.0	167.09	N22°07'55"E	165.72	
B 2 17	18°10'40"	59.99	375.0	118.97	N18°27'20"E	118.47	
B 3 17	7°21'10"	24.09	375.0	48.12	N31°13'15"E	48.09	
C 3 17	90°	30.00	30.0	47.12	N79°53'50"E	42.43	
D 17	25°31'50"	73.63	325.0	144.82	S67°52'05"E	143.62	
D 4 17	13°43'58"	39.13	325.0	77.90	S61°58'09"E	77.71	
D 5 17	11°47'52"	33.58	325.0	66.92	S74°44'04"E	66.80	
E 6 18	25°31'50"	62.30	275.0	122.54	N67°52'05"W	121.53	
F 1 18	90°	30.00	30.0	47.12	N10°06'10"W	42.43	
G 3 18	90°	30.00	30.0	47.12	N79°53'50"E	42.43	
H 18	25°31'50"	79.29	350.0	155.96	S67°52'05"E	154.67	
H 4 18	12°38'28"	38.77	350.0	77.22	S61°25'24"E	77.06	
H 5 18	12°53'22"	39.53	350.0	78.74	S74°11'19"E	78.57	
J 19	25°31'50"	67.97	300.0	133.68	N67°52'05"W	132.57	
J 1 19	7°38'00"	20.01	300.0	39.97	N58°55'10"W	39.94	
J 5 19	17°53'50"	47.24	300.0	93.71	N71°41'05"W	93.33	
K 1 19	90°	30.00	30.0	47.12	N10°06'10"W	42.43	
L 19	64°28'10"	63.06	100.0	112.52	N67°07'55"W	106.68	
L 2 19	9°10'00"	8.02	100.0	16.00	N39°28'50"E	15.92	
L 3 19	55°18'10"	52.39	100.0	96.52	N71°42'55"E	92.82	
M 16	64°28'10"	94.59	150.0	168.78	S67°07'55"E	160.01	
M 12 16	1°57'50"	2.57	150.0	5.14	S35°52'45"W	5.14	
M 13 16	25°53'45"	34.49	150.0	67.80	S49°48'33"W	67.22	
M 14 16	25°46'35"	34.32	150.0	67.48	S75°38'43"W	66.91	
M 15 16	10°50'00"	14.22	150.0	28.36	N86°03'W	28.32	

BOUNDARY DATA					14.538 Acres ±			
Corner	Bearing	Distance	North (Cos)	South	East (Sin)	West		
1-2	S 9°43'W	369.64		364.33		62.39		
2-3	S 17°14'W	556.19		531.22		164.78		
3-4	S 16°55'W	338.04		323.41		98.36		
4-5	N 80°38'W	229.85	37.41			226.78		
5-6	S 33°22'W	57.60		48.10		31.68		
6-7	N 89°01'20"W	180.54	3.07			180.50		
7-8	N 71°49'20"W	112.54	35.11			106.92		
8-9	N 83°18'40"W	80.40	9.36			79.85		
9-10	N 15°28'30"E	323.55	311.82		86.33			
10-11	N 34°53'50"E	1141.45	936.19		653.03			
11-12	S 85°06'E	82.57		7.05		82.27		
12-13	S 71°47'40"E	71.65		22.38		68.06		
13-1	S 59°19'30"E	71.39		36.42		61.40		
Totals			1332.96	1332.91	951.09	951.26		

APPROVED:
Heimer K. Simard 5-17-62
Agent For Roanoke City Planning Commission Date
H. Clitus Brooks 5-17-62
City Engineer of Roanoke, Virginia Date

Caption Legal Reference.
Being a portion of land conveyed to R.D. Nininger, et. ux. by R.D. Ross, et. ux., in D.B. 959, Pg. 203 and D.B. 998, Pg. 302 also a portion of land conveyed to R.D. Nininger, et. ux. by Brentwood Sales and Development Corporation in D.B. 1027, Pg. 301.

MAP OF
BLOCKS 16, 17, 18, 19, SECTION No. 9
FLEMING OAKS
PROPERTY OF
R. D. NININGER AND RUTH M. NININGER
ROANOKE, VIRGINIA

By C.B. Malcolm & Son
State Cert. Engrs.
DATE: APRIL 10, 1962 SCALE: 1"=100'