

RESERVATIONS AND RESTRICTIONS

THE FOLLOWING RESERVATIONS AND 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. PROPERTY TO BE USED AS BUILDING SITES FOR SINGLE-FAMILY TYPE DWELLINGS ONLY.
2. NO LOTS SHALL BE FURTHER SUBDIVIDED, WITHOUT WRITTEN CONSENT OF THE DEVELOPERS; EXCEPT A LOT MAY BE DIVIDED AND ADDED TO ADJOINING LOTS.
3. NO TEMPORARY LIVING QUARTERS SHALL BE ERECTED ON LOTS.
4. NO RESIDENCE SHALL BE ERECTED WITH THE MAIN BODY CLOSER TO THE STREET LINE THAN THE BUILDING LINE SHOWN HEREON.
5. NO HOGS, CHICKENS, GOATS, CATTLE OR OTHER NUISANCE ALLOWED AND NOTHING SHALL BE DONE TO DISTURB THE PEACE AND QUIETUDE OF THE NEIGHBORHOOD.
6. NO PREFABRICATED HOUSES SHALL BE ERECTED ON PROPERTY.
7. (A) HOUSES SHALL BE CONSTRUCTED WITH BRICK OR STONE; OR A COMBINATION OF EITHER; OR A COMBINATION OF BRICK OR STONE AND WEATHER BOARDING.  
(B) HOUSES CONSTRUCTED OF OTHER TYPES OF MATERIALS SHALL BE APPROVED BY THE DEVELOPERS.
8. MINIMUM LIVING SPACE SHALL BE AS FOLLOWS:  
(A) SINGLE-STORY DWELLINGS SHALL HAVE A MINIMUM FLOOR SPACE OF 1250 SQUARE FT.  
(B) TWO-STORY HOUSES MUST HAVE A MINIMUM OF 1000 SQUARE FT. ON THE FIRST FLOOR.  
(C) TWO-STORY HOUSES MUST HAVE A COMBINED FLOOR SPACE OF AT LEAST 1500 SQ. FT.  
(D) THE GROUND FLOOR DIMENSIONS OF SPLIT LEVEL HOUSES MAY BE NO LESS THAN 44 FT. X 26 FT. ALL MINIMUMS EXCLUDE BASEMENTS, GARAGES, SUN PORCHES, CARPORTS AND BREEZEWAYS.  
ANY HOUSE OTHER THAN THOSE LISTED ABOVE WILL BE CONSISTENT WITH THE MINIMUM DIMENSIONS AND BASIC BUILDING COSTS OF THOSE LISTED AND MUST BE APPROVED BY THE DEVELOPERS.
9. THE RIGHT IS RESERVED BY THE OWNERS OF THIS SUBDIVISION TO CONSTRUCT WATER MAINS, AND TO REPAIR AND MAINTAIN SAME IN THE EASEMENTS AND STREETS SHOWN HEREON.
10. ALL LOTS ARE SUBJECT TO EASEMENTS AS SHOWN ON BODY OF MAP AS WELL AS NECESSARY GUYS AND ANCHORS FOR ELECTRIC AND TELEPHONE POLES.
11. IF THE OWNERS OF THIS SUBDIVISION OR ANYONE CLAIMING UNDER THEM, SHALL VIOLATE OR ATTEMPT TO VIOLATE ANY OF THESE COVENANTS, IT SHALL BE LAWFUL FOR ANY PERSON OR PERSONS OWNING ANY REAL PROPERTY SITUATE IN THIS SUBDIVISION TO PROSECUTE ANY PROCEEDINGS AT LAW, OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, AND EITHER TO PREVENT HIM OR THEM FROM DOING SO, OR TO RECOVER DAMAGES.

STATE OF VIRGINIA }  
COUNTY OF ROANOKE } TO WIT:

I, Michael M. K... A NOTARY PUBLIC IN AND FOR THE AFORESAID STATE DO HEREBY CERTIFY THAT WILBERT K. TESTER, CAROLYN J. TESTER, CLARENCE B. TESTER AND JUANITA D. TESTER, OWNERS; JOHN M. WILSON, JR., TRUSTEE, AND W.B. BAIRD, JR., TRUSTEE; PEYTON R. KELLER, AND W.B. BAIRD, JR., PRESIDENT AND SECRETARY, RESPECTIVELY, OF FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF ROANOKE, WHOSE NAMES AS SUCH ARE SIGNED TO THE FOREGOING WRITING DATED July 3, 1969, HAS EACH PERSONALLY APPEARED BEFORE ME IN MY AFORESAID STATE AND ACKNOWLEDGED THE SAME ON July 3, 1969.

MY COMMISSION EXPIRES: December 15, 1970  
Michael M. K...  
NOTARY PUBLIC

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ROANOKE COUNTY, VIRGINIA, THIS PLAT WITH THE CERTIFICATE OF ACKNOWLEDGEMENT AND DEDICATION THERETO ANNEXED IS ADMITTED TO RECORD ON May 12, 1969, AT 10 O'CLOCK AM.

TESTE: ELIZABETH STOKES  
BY: Raymond C. Weeks  
DEPUTY CLERK

KNOW ALL MEN BY THESE PRESENTS TO WIT:

THAT WILBERT K. TESTER AND CAROLYN J. TESTER AND CLARENCE B. TESTER AND JUANITA D. TESTER ARE THE FEE SIMPLE OWNERS AND PROPRIETORS OF THE LAND SHOWN HEREON TO BE SUBDIVIDED, KNOWN AS LA BELLEVUE BOUNDED AS SHOWN HEREON IN DETAIL BY OUTSIDE CORNERS 1 THRU 18 TO 1, INCLUSIVE, WHICH COMPRISES ALL OF THE LAND CONVEYED TO SAID OWNERS BY DEED FROM R.C. EUBANK AND CLAUDINE S. EUBANK, RECORDED IN THE CLERKS OFFICE OF THE CIRCUIT COURT OF ROANOKE COUNTY IN D.B. 874 Pg. 350, AND THE LAND CONVEYED TO SAID OWNERS BY DEED FROM GEORGE H. CADD AND HAZEL R. CADD, RECORDED IN THE AFORESAID CLERKS OFFICE IN D.B. 806 Pg. 254, AND WHICH LAND IS SUBJECT TO THE LEIN OF A CERTAIN DEED OF TRUST, TO JOHN M. WILSON, JR. AND W.B. BAIRD, JR. TRUSTEES, SECURING FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF ROANOKE, BENEFICIARY OF RECORD IN D.B. 806 Pg. 257.

THE SAID OWNER CERTIFIES THAT THEY HAVE SUBDIVIDED THIS LAND AS SHOWN HEREON, ENTIRELY WITH THEIR 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 OWNERS WITH THE CONSENT OF THE UNDERSIGNED TRUSTEES, DO, 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 OWNERS, THEIR 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 DEPT. OF HWYS. 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 SIGNATURES OF THE SAID OWNERS, TRUSTEES, BENEFICIARIES, THIS THE 3 DAY July, 1969.

Wilbert K. Tester  
OWNER

Caroline B. Tester  
OWNER

Clarence B. Tester  
OWNER

Juanita D. Tester  
OWNER

John M. Wilson, Jr.  
TRUSTEE

W.B. Baird, Jr.  
TRUSTEE

FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF RKE.

BY: Peyton R. Keller  
PEYTON R. KELLER, PRES.

BY: W.B. Baird, Jr.  
W.B. BAIRD, JR., SECTY.

MAY 12, 1969

I, HEREBY CERTIFY THAT THIS PLAT OF SURVEY IS CORRECT.

Raymond C. Weeks  
STATE CERTIFIED LAND SURVEYOR

SURVEYORS NOTE:

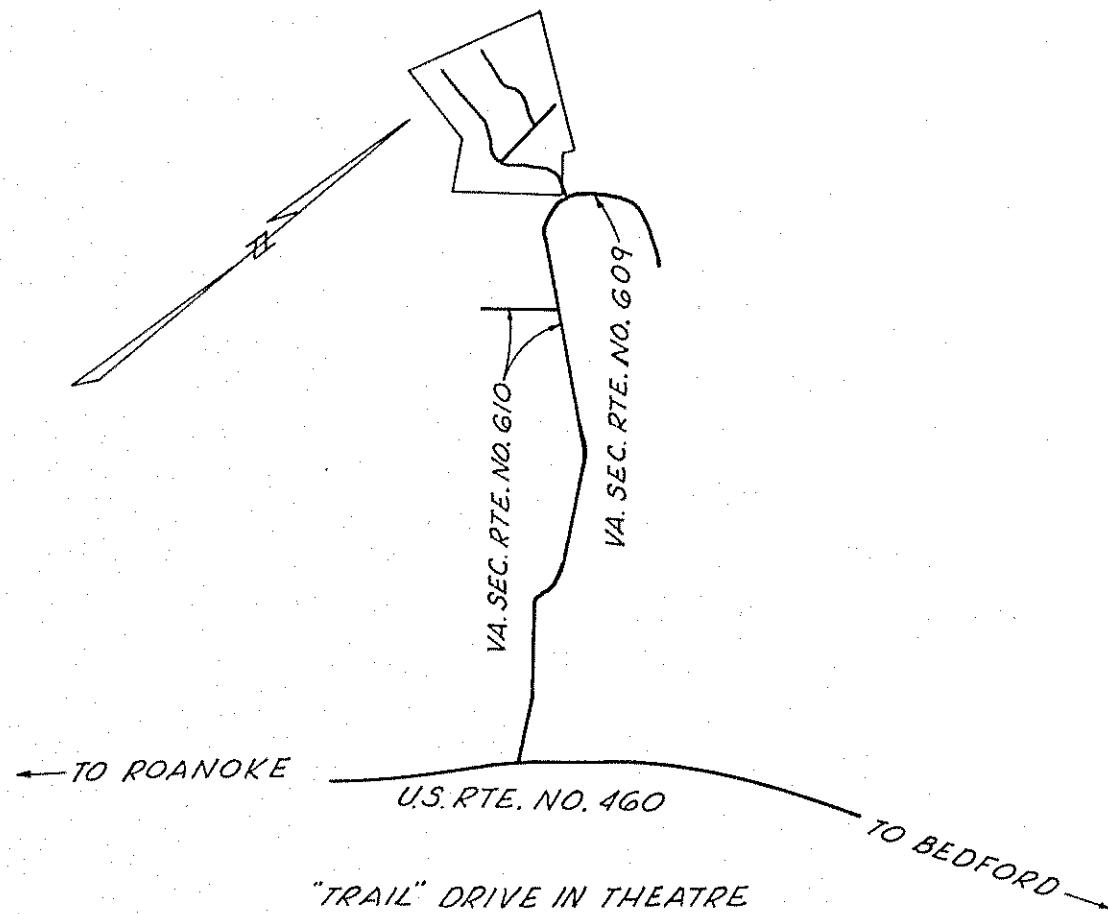
IF THE NORTHERLY LINE OF THE WILBERT K. TESTER, ET AL'S. PROPERTY WAS ESTABLISHED FROM THE S.W. CORNER OF THE PROPERTY BY MEASURING THE DEED DISTANCE NORTHERLY ALONG THE WEST LINE, IT WOULD INTERLOCK APPROXIMATELY 200 FT. WITH THE W.E. MALIN PROPERTY.

NOTE:

THIS MAP SUPERCEDES AND RENDERS NULL AND VOID MAP OF LA BELLEVUE OF RECORD IN THE CLERKS OFFICE OF THE CIRCUIT COURT FOR ROANOKE COUNTY, VIRGINIA IN P.B. 7 Pg. 34.



LOCATION MAP



APPROVED:

Charles H. Osterhout  
CHAIRMAN-BOARD OF SUPERVISORS OF RKE. CO. 5-28-69  
DATE

James P. Marshall  
SECRETARY RKE. CO. PLANNING COMMISSION 6/13/69  
DATE

Richard J. Hamill  
AGENT-ROANOKE CITY PLANNING COMMISSION 5-29-69  
DATE

William F. Clark  
CITY ENGINEER-ROANOKE, VIRGINIA 5-29-69  
DATE

CAPTION LEGAL REFERENCE:  
SEE D.B. 806 Pg. 254 FOR DEED OF CONVEYANCE OF 40.3 ACRES TO WILBERT K. TESTER, ET AL'S. FROM GEORGE H. CADD, ET AL'S.  
SEE D.B. 874 Pg. 350 FOR CONVEYANCE TO WILBERT K. TESTER, ET AL'S. FROM R.C. EUBANK AND CLAUDINE S. EUBANK.

SHEET NO. 1 OF 2 SHEETS

REVISED  
MAP OF  
LA BELLEVUE

PROPERTY OF  
WILBERT K. TESTER AND CAROLYN J. TESTER  
AND  
CLARENCE B. TESTER AND JUANITA D. TESTER  
ROANOKE COUNTY, VIRGINIA

BY: RAYMOND C. WEEKS  
STATE CERT. LAND SURVEYOR

DATE: MAY 12, 1969

SCALE: 1"=100'