

PIN OAK ESTATES SUBDIVISION

RESTRICTION INDENTURE

C. Gordon Baxter, III and Patricia A. Baxter, his wife, hereinafter referred to as the "Developer", are the owners of the following described real estate, located in Crawford County, State of Missouri, and described to-wit:

being the property shown on the plat of Pin Oak Estates subdivision as recorded in the Office of the Recorder of Deeds in subdivision plat Book 364 at Page 565. References to lots and streets hereinafter are to the lots and streets as shown on said plat.

It is our intention that all of said Subdivision shall be subject to the restrictions which are hereinafter set out, except where specific exceptions are indicated in this indenture, and that all said lots when sold shall be sold subject to the said restrictions, which shall run with the land, and shall be binding upon every owner of lots in said subdivision in the same manner as if said restrictions were set out in full in each contract and conveyance of or concerning any lot or any part thereof. The restrictions are as follows:

Section A

1. EASEMENTS. The easements delineated on the plat of said subdivision may be used for the purpose of constructing operating and maintaining roads, wires, pipes, conduits or other

transmission systems and appurtenances for electric, telephone, telegraph, water, sewage, storm water, natural gas, video or cable telephone, and all other services in the nature of public utility. All utilities shall be underground.

Section B

1. DEVELOPER'S APPRAISAL OF CONSTRUCTION. No building shall be erected, placed or altered on any lot, tract or parcel, until the construction plans and specifications and a plan showing the location of the structure have been approved by the Developer as to workmanship and material, harmony of external design with existing structures and as to location with respect to topography and finish grade elevation. No fence or wall shall be erected, placed or altered on any lot, tract or parcel unless similarly approved. Approval shall be reasonably given in accordance with the restrictions as hereinafter provided.

2. BUILDING PERMITS. All applications for building permits shall be accompanied by a plat in duplicate drawn to scale, showing the actual dimensions of the lot to be built upon, the size of the building to be erected, the location of the building lines within the lot, and other such information as may be necessary to provide for the enforcement of these restrictions.

Section C

1. The following restrictions shall apply to all lots:

A. OIL AND MINING OPERATIONS. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind (including clay pits) shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot.

B. UNLICENSED VEHICLES. The habitual parking of any unlicensed automobiles or other motor vehicles capable of carrying passengers, whether housed or not, shall not be allowed on any tract, or on streets or roads within the subdivision.

C. WASTEWATER DISPOSAL. All residential building shall have wastewater treatment systems which conform to state and Federal regulations and shall be designed so that no wastewater shall be permitted to escape from the lot where it originates. No lagoon shall be permitted. No wastewater shall be released closer than 25 feet to any property line or closer than 75 feet to any pond. No septic tank, field tile, or other wastewater treatment facility shall be located within 300 feet of the well located in the subdivision, and no wastewater shall be discharged or released within 300 feet of said well.

D. NO NUISANCE ALLOWED. No lot or any building thereon shall be maintained, operated or neglected in such a manner as to constitute or create a nuisance.

E. GARBAGE AND REFUSE DISPOSAL. No lot shall be used as a dumping ground for rubbish. Trash, garbage or other liquid or solid waste materials shall not be kept except in sanitary

containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

F. FENCES. All fences shall be well designed and attractive in appearance. Fences must be either rail or split rail construction except that the Developer may permit fences constructed of other materials when in their judgment the fence would not detract from the overall appearance of the subdivision. Fences may only run from the rear of the dwelling house and enclose that portion of the lot located to the rear of such dwelling.

G. LOTS SHALL NOT BE SUBDIVIDED. No lot shown on the recorded plat of Pin Oak Estates Subdivision shall be hereinafter subdivided, except where all portions shall be used to enlarge other lots.

H. PROPER USE. No lot in this subdivision or any building thereon shall be used for any purpose other residential dwellings.

I. SETBACK LINES. No building shall be situated on a lot nearer than 100 feet to the edge of any road or nearer than 100 feet to any other lot except that the Developer may grant permission to build closer to lines or to road if topography of land or other circumstances reasonably requires an exception to facilitate the reasonable use of such lot.

J. BUILDINGS. No building shall be erected or maintained on any lot other than a detached private one-family residence, except that with the permission of the Developer, lot owners may construct well designed and well constructed barns, stables or storage buildings. Only one residential unit may be constructed or maintained on any one lot. The maximum size of any stable, barn or outbuilding will be 2000 square feet and shall be located to the rear of the dwelling house and no less than 100 feet from property lines and roads.

K. NO TEMPORARY STRUCTURE OR TRAILER. No structure of temporary character shall be used as a residence, nor shall any trailer, mobile home, motor home, van or other vehicle, basement, tent, shack, garage or other out-building be used as a residence temporarily or permanently.

L. BILLBOARD AND SIGNS. No billboard, signboard or advertising sign shall be permitted other than "For Rent" or "For Sale" signs. Such permitted signs shall be limited to a single sign for each premise and shall not exceed four square feet in area, except that developers may display larger signs at the entrance to the subdivision.

M. ANIMALS AND LIVESTOCK. No animal or livestock shall be raised, bred, or kept on any lot except household pets not kept for commercial purposes. No wild or dangerous animal shall be considered a household pet. However, horses may be kept and maintained for the private use of their owners,

provided that they are maintained in such a manner as not to create a public nuisance. Not more than two horses shall be kept on any one lot.

N. NO MOBILE HOMES. No mobile home, motor home or van shall be kept or maintained as a permanent structure on any lot in this subdivision.

O. VEHICLE PARKING RESTRICTIONS. No trucks over 1 ton size will be permitted to park on Pin Oak Estates road, owners driveway or visible on property owner's lot. Junk cars, trucks or debris will not be stored on grounds where they can be seen.

P. PONDS OR SMALL LAKES. If any ponds or small lakes are to be built, plans must be approved by Developer. All ponds must be kept free from algae and pollution and kept mowed and neat.

Q. VEGETABLE GARDENS. Any vegetable garden shall be to the rear of the house or outbuilding.

2. BUILDING SPECIFICATIONS. All buildings within the development shall conform with the following principles and requirements, unless specifically exempted elsewhere within these restrictions.

A. Foundations shall be constructed of concrete, concrete blocks or brick, except that the Developer may permit some other material of equal or greater quality. No pier type foundations shall be permitted.

B. All framing construction must be on 16 inch centers or less.

C. All interior walls must be constructed or composed or either sheetrock or plaster of one-half inch or greater thickness or wood or masonite paneling of one-fourth inch or greater thickness or other material of equal or superior quality, if approved in advanced by the Developer.

D. All framing material must be of two by four stock or greater.

E. No pitched roofs shall be constructed of ferreous metal or rolled roofing.

F. The exterior finish of all buildings shall be limited to the following materials:

1. Brick, Brick Veneer, Roman Tile;
2. Natural Stone, Lave Stone or Stone Veneer;
3. Board and Batten Siding of Hard wood or Cypress of one inch in thickness or greater.
4. Any material recognized as being superior or equal to the material described in 1 through 3 by the Developer.

G. No dwelling shall be erected or maintained which has less than 2,300 square feet of inside living space, exclusive of utility room for heating equipment, garages, carports, outside vestibules and open or closed porches or verandas.

Section D

1. IMPROVEMENTS TO BE MADE BY DEVELOPER. The Developer of Pin Oak Estates will at its expense erect and construct a brick entrance on plans and specifications determined in the Developers sole discretion, and will grade and gravel the roadways in the subdivision. The Developer will install electric and telephone cables underground along the utility easements shown on the recorded plat of the Subdivision. The Developer will further plant Pin Oak trees outlining the road and appropriately landscape the entrance way. The Developer will mow vacant lots no less than twice a year until sold.

Upon the sale of all lots in the Subdivision, the Developer will provide a chip and seal coat to the roadway in the Subdivision. Following the sale of all lots in the Subdivision, the maintenance responsibilities for the entrance way and roadway shall be exclusively with the property owners association.

Section E

1. OWNERS ASSOCIATION. Upon the sale by the Developer of all lots in the Subdivision, the lot owners in said development will cause to be organized a Non-Profit Corporation ("Owners' Association") and said corporation will have full responsibility for the maintenance of said streets and roads in the development, and will have and assume all power and responsibility of the Developer as set forth herein. The

Property Owners Association shall have power to levy property assessments for maintenance and repair of roads. Each lot owner shall pay such assessment that may be levied by said Association against each respective lot; and each lot owner shall pay to such Association periodically the amount so fixed and assessed. The Property Owners Association shall have power to enforce the payment of the assessments above mentioned by court action, and such assessments are hereby made a lien against the respective lots in case of non-payment; and the Property Owners Association may cause lots to be sold at public sale for assessments more than 90 days delinquent. Said sale shall be held at the North front door of the Crawford County Courthouse, Steelville, Missouri, after no less than 20 days of notice published and given in the same manner as foreclosure of deed of trust with power of sale under Chapter 443, RSMo. Lot owners who become delinquent in the payment of any assessment levied by the Property Owners' Association shall be charged interest thereon, from the due date of such assessment, at the rate of ten (10%) percent per annum, together with costs, including a reasonable attorney fee for collection thereof.

Section F

1. DURATION. These covenants shall be filed in the Office of the Recorder of Deeds of Crawford County, Missouri, and shall be binding upon the parties hereto, the future owners of the property hereinabove described, and upon all persons or

corporations claiming under the parties hereto, for a period of 30 years from the date these covenants are recorded, after which time said covenants shall continue unless an instruments signed by a majority of the then owners of the lots has been recorded, agreeing to change these covenants in whole or in part.

2. All covenants and agreements herein are expressly declared to be independent; nor shall any laches, waiver, estoppel condemnation or failure of title as to any part or parcel of the said tract known as Pin Oak Estates Subdivision be of any effect to modify, invalidate or annul any grant covenants or agreements herein, with respect to the remainder of said Subdivision saving always the right of amendment, modification or repeal as hereinabove expressly provided.

IN WITNESS WHEREOF, we the undersigned, have executed this Indenture of Restriction this 22 day of March 1990, 1990.

C. Gordon Baxter, III
C. Gordon Baxter, III

Patricia A. Baxter
Patricia A. Baxter

STATE OF MISSOURI)
COUNTY OF CRAWFORD) SS

On the _____ day of _____, 1990, before me personally appeared C. Gordon Baxter, III and Patricia A. Baxter, his wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed mu official seal the day and year first above written.

Notary Public

My term expires: _____

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SOLD

SOLD

6.00 AC.
\$20,800
3000' x 1000'

8.57 AC.
\$27,800
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7.00 AC.
\$23,800
340000'

8.47 AC.
\$27,800

\$32,800
10.00 AC.

36 CO. N.E. 1/4
S. 24-34-7404-17W

CO RD.

ADAMS SURVEYING CO.

PLS. CONTACT ADAMS SURVEYING CO. FOR FURTHER INFORMATION.
ADAMS SURVEYING CO. 1917 1/2 1/2 1/2 1/2 1/2

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