

COVENANTS AND RESTRICTIONS – HE9

1. Primary Use Restriction

No Lot shall be used except for private single family residential purposes. Detached garages shall be constructed in the same architectural style and with the same material as the main residence.

2. Minimum Floor Area

The following shall be the minimum required enclosed livable areas, exclusive of garage, open porch and finished or unfinished basement area:

- a) Ranch style or one story dwellings shall have a minimum of 1900 square feet of enclosed living area; One and one-half story dwellings shall have a minimum of 2200 square feet of enclosed living area;
- b) Two story dwellings shall have a minimum of 2400 square feet of enclosed living area.

3. Building Setback

No structure shall be located or allowed to be placed in any area of the setback requirements, as shown on the Record Plat of Hildebrant Estates No.9., Hamilton Township, Warren County, Ohio.

4. Outbuildings

No Lot may contain more than one out-building used for storage. The outbuilding must match the architecture of the house.

5. Driveway Access

The driveway access from dedicated public roads shall be in accordance with Warren County specifications. All driveways must have a concrete apron.

6. Common Driveway Easement and Maintenance Agreements

The Developer reserves the right to designate those Lots in the Subdivision that shall be subject to cross-easements and maintenance agreements for common or shared driveways.

7. Private Utility Tank

All fuel and other private utility tanks shall be underground.

8. Disposal of Trash

No Lot shall be used or maintained as a dumping ground for rubbish or trash, or as a storage area for inoperable vehicles or other unsightly objects. This restriction shall not apply to any Lot upon which a dwelling residence is being constructed, provided object is needed for construction purposes.

9. Fencing

Wood rail fences and plastic rail-type fences made with polyvinyl chloride may be erected on any Lot. No fence shall extend beyond the setback line of the front of the structure. All fencing must be approved by the Developer.

10. Nuisances

No noxious or offensive trade or activity shall be conducted on any Lot.

11. Animals

No lot may be used for and no Lot Owner shall operate either a commercial animal breeding business or a business that boards animals for a fee. Common household pets, including reptiles, may be kept on any occupied Lot in the Subdivision. All Lot owners who maintain household pets shall comply with the licensing rules and regulations of Warren County, Ohio.

12. Signage

No sign shall be displayed on any Lot or structure save and except signs advertising Lot for sale or rent. This restriction does not apply to signs by the Developer intended to market the Lots generally.

13. Outside Storage

No trailer, commercial vehicle, camper trailer, camping vehicle, recreational vehicle or boat shall be parked or kept on any Lot at any time unless housed in a garage or basement. No automobile which is inoperable shall be habitually or repeatedly parked or kept on any Lot (except in the garage) or on any street. No automobile, trailer, boat, truck or other vehicle shall be parked on any street in the subdivision for a period in excess of twenty-four hours in any one calendar year. The word "trailer" shall include, but shall not be limited to, trailer coaches, house trailers, mobile homes, automobile trailers, campers and other recreational vehicles, whether or not self-propelled.

14. Swimming Pools

No swimming pool may be constructed on any Lot unless approval is first obtained from the Warren County Combined Health District. No swimming pool may extend more than one (1) foot above the finished grade of any Lot.

15. Satellite Dishes

Satellite dishes and television receiver instruments may not be attached to the front of any structure and must be screened.

16. Drainage

Easements for drainage and utilities are reserved as shown on the Record Plat of Hildebrant Estates No.9. Lot areas designed for the natural flow of surface water shall be kept free from obstruction. No improvement of any kind shall be made which will interfere with access to utility easements.

17. Enforcement

In the event that a violation of these covenants and restrictions occurs, it is hereby declared that irreparable harm will result to the Owners and occupants of Lots within this development from such violation. Enforcement of these restrictions shall be by proceeding at law or in equity, brought by any Lot Owner against any party violating or attempting to violate any covenant or restriction, either to restrain the violation, to direct restoration, or to recover damages.

18. Architectural and Plan Approval

All building plans for any and all structures must first be reviewed and approved prior to construction by the Developer or his appointee. Acceptable exterior building materials include but are not Limited to brick, stone, wood siding, certain acceptable other siding material and stucco or equal. A minimum roof pitch of 7/12 is required. Approval of plans will not be unreasonably withheld as long as the elevation is pleasing and an acceptable exterior siding or combination is to be installed. A minimum of 6" soffit or roof overhang is required.

19. Severability

Invalidation of anyone of these covenants by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

20. Covenants Run With Land

The foregoing Subdivision Covenants and Restrictions shall run with the land and may not be revoked, altered or amended for a period of twenty-five (25) calendar years commencing from the first calendar year which immediately follows the date of the recording of the Record Plat in the office of the Warren County Recorder. Thereafter, these restrictions may be revoked, altered or amended in whole or in part by written instrument executed by seventy-five percent (75%) of the then lot owners.