

SECTION 5, PHASE II

SGH4

12/18/85

1

BOOK 455 PAGE 19

11717

RESTRICTIONS

ST. GEORGE'S HUNDRED, SECTION 5, PHASE II

JAMES CITY COUNTY, VIRGINIA

KNOW ALL MEN BY THESE PRESENTS:

ST. GEORGE CORPORATION, a Virginia Corporation, does hereby declare and set forth that it is the owner of all those certain pieces, parcels and lots of land situate in James City County, Virginia, being comprised of Lots Numbered 1 through 16, inclusive, as shown on that certain plat entitled:

"PLAT OF ST. GEORGE'S HUNDRED, SECTION 5, PHASE II", made by AES, a professional corporation, dated _____, 19____, and recorded in Plat Book _____, Page _____ in the Clerk's Office of the Circuit Court for the County of James City, Virginia.

The said St. George Corporation does further declare and set forth that the following conditions and restrictions shall be binding upon the present and future owners of the above numbered lots of land as shown on the said plat.

FIRST: All lots shall contain not less than Fifteen Thousand (\$15,000.00) square feet of land area.

SECOND: All of the said numbered lots shall be residential sites and used solely for residential purposes and no structures shall be erected upon any one residential site other than one detached single family dwelling with garage. St. George Corporation, or its designee, shall have the right in its sole discretion to approve exterior designs, house colors, location, exterior of all improvements, to specify minimum size parameters and construction specifications. Not less than fourteen (14) days prior to the commencement of any construction, one set of plans and specifications and a lot development plan shall be submitted to an architectural review committee for approval, which approval shall not be unreasonably withheld. If no action is taken by St. George Corporation, or its designee, within

SCVA
M 205

fourteen (14) days after receipt of all required information, approval shall not be required and this paragraph shall be deemed fully satisfied. The following additional restrictions will be observed with the intent of preserving the architectural integrity of the improvements.

- a. No external antennae or satellite disks of any description;
- b. No window air conditioners;
- c. No clothes lines unless small and well screened and approved by St. George Corporation, or its designee;
- d. Siding shall be brick, stone, wood, stucco, aluminum or vinyl. No sheet board shall be used for exterior siding. Exposed foundations shall be brick or stone.
- e. All residences must have a minimum roof pitch of 6/12.

THIRD: No noxious or offensive trade or activity shall be carried on upon any lots, nor shall anything be done thereon which may be or become any annoyance or nuisance to the neighborhood. No business shall be conducted from any residence or on any lot wherein any evidence of said business is visible from outside the residence. No signs, marked vehicles (unless garaged), equipment, or materials will be permitted; nor may any home business generate a stream of traffic which created a nuisance to the neighbors.

FOURTH: None of said lots shall be resubdivided for the purpose of making additional building sites.

FIFTH: Except for the use of temporary construction sheds or portable lavatories during the period of actual construction of improvements on the lot, no trailer, tent, shack, barn or other temporary or moveable building or structure of any kind shall be erected on or permitted to remain on any residential lot.

564 4
15345

SIXTH: No animals, livestock, or poultry of any kinds shall be raised, bred, or kept on any lot, except that dogs, cats, or other household pets may be kept provided that they are not kept, bred or maintained at any residence at any given time. Animals must be properly managed so as not to be a nuisance to neighbors by barking or trespassing.

SEVENTH: Setback building lines, rear and side yard areas, shall conform with the minimum requirements of the Zoning Ordinances of James City County, Virginia, and with such lines as may be shown on the recorded plat of subdivision.

EIGHTH: No sign of any kind shall be displayed to the public view on any lot, except one sign of not more than five square feet advertising the property for sale or rent, used by a builder or owner to advertise the property during the construction and sales period.

NINTH: Areas converted to lawn and other landscaped areas shall be maintained in a neat and attractive state. Areas left in their natural wooded state shall be cleared of fallen trees, branches and of excess underbrush and so maintained. No trees in excess of twelve inches in diameter shall be removed unless such removal is necessary to the construction of a residence or poses a danger to the residence or unless prior approval is obtained in writing from St. George Corporation. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste shall be stored in the rear yard or installed underground. All equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition and generally out of public view except on collection days.

TENTH: It shall be lawful for any person or persons owning any of the above described lots to prosecute any proceedings at law or in equity any

5649
15405

person or persons violating or attempting to violate any of the foregoing conditions and restrictions, and either to prevent him or them from so doing or to recover damages for such violations.

ELEVENTH: Vehicles. Since the unregulated use of vehicles can severely damage the appearance of a neighborhood, the following restrictions apply:

- a. No more than three (3) ungaraged vehicles will be permitted to be consistently parked on the premises, and these must be in the driveway or on a parking apron off the driveway. These vehicles will be restricted to licensed, operable automobiles, mini-vans, and pick-ups trucks not to exceed 3/4 ton in capacity.
- b. Pick-up trucks over 3/4 ton in capacity, recreational vehicles, boats and boat trailers must be garaged. Recreational vehicles and boats too large to garage and large vans may be stored behind the house on a parking apron with suitable screening to minimize unsightliness and with a total of one per lot. Tractors, trailers, buses, commercial vans, and non-pick-up trucks over 3/4 ton capacity are not permitted.
- c. No major vehicle maintenance or overhaul of ungaraged vehicles will be permitted.
- d. Motorcycles, trail bikes, mopeds, go-carts, and other similar motorized vehicles may only be used for point to point transportation on established roadways and not for joyriding around the neighborhood.

TWELFTH: No fence shall be erected, placed, or permitted to remain on any lot nearer to any street than the front of the house. Fences shall be constructed of wood or masonry only. Approval must be obtained from

SGH 4
DSJMS

BOOK 455 PAGE 23

thirty (30) days from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive period of ten (10) years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

SIXTEENTH: Should any of these covenants be declared invalid by any competent authority, it shall in no way affect any of the other covenants herein, which shall remain in full force and effect.

IN WITNESS WHEREOF, the said St. George Corporation, has caused its names to be signed by the proper officer in its behalf first duly authorized on this 19th day of September, 1989.

ST. GEORGE CORPORATION
By: David M. Murray
David M. Murray, President

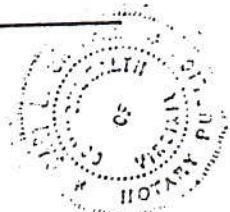
COMMONWEALTH OF VIRGINIA,

City of Newport News, to-wit:

I, Cary L. Daniels, a Notary Public in and for the City and State aforesaid do hereby certify that David M. Murray, President of St. George Corporation, a Virginia Corporation, did acknowledge the same before

VIRGINIA: City of Newport News, State of Virginia aforesaid this 19th day of September, 1989.

In the Clerk's office of the Circuit Court of the City of Newport News and County of James City, to-wit:
City the 19th day of September, 1989
Cary L. Daniels
Notary Public
Restrictions presented with certification admitted to record at 10:57 o'clock
Teste: Helene S. Ward, Clerk
by Helene S. Ward
Deputy Clerk
My Commission expires: November 22, 1992



PLAT RECORDED IN
P.B. NO. 57 PAGE 55