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DECLARATION OF RESTRICTIONS

THIS DECLARATION, Made this 23rd day of August, 1961, by LAKE PROPERTIES, INC., an Idaho corporation, having its principal place of business in the City of Sandpoint, County of Bonner, State of Idaho, hereinafter referred to as the DECLARANT,

WHEREAS, the Declarant is the owner of a tract of land located in Sections 25 and 26, Township 55 North, Range 1 West Boise Meridian, and in Section 30, Township 55 North, Range 1 East Boise Meridian, in Bonner County, Idaho, part of which is platted as Units #1 and #2, recorded in Book 2 of Plats, Page 84 and Book 2 of Plats, Page 84, respectively, records of Bonner County, and

WHEREAS, the Declarant is about to sell, dispose of, or convey the lots in said units, above described, and desires to subject the same, and such other portions of said tract as may hereafter be platted by Declarant, to certain protective covenants, conditions and restrictions (hereinafter referred to as "Conditions") between it and the grantees, acquirers, and/or users in said Tract,

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Declarant hereby certifies and declares that it has established and does hereby establish a general plan for the protection, maintenance, development and improvement of said Tracts, and that,

THIS DECLARATION is designed for the mutual benefit of the lots in said Tract and Declarant has fixed and does hereby fix the protective conditions upon and subject to which all lots, parcels and portions of said Tract shall be held, leased, or sold, and/or conveyed by them as such owners, each and all of which is and are for the mutual benefit of the lots in said Tract and of each owner thereof, and shall run with the land and shall inure to

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and pass said Tract and each and every parcel of land therein, and shall apply to and bind the respective successors in interest thereof, and are and each thereof is imposed upon said Tract as a mutual, equitable servitude in favor of each and every parcel of land therein as the dominant tenement or tenements.

SAID CONDITIONS ARE AS FOLLOWS:

That excepting from this Declaration the following property:

Block 1, Lots 1, 2, 3 and 4, Unit 1, and
Block 20, Lots 1, 2, 3 and 4, Unit 2,

which shall be designated as Commercial Lots.

All the remaining lots of these Subdivisions shall be designated as Single Residence Lots, and shall be improved, used, and occupied under the conditions hereinafter set forth:

A. No building or other structure shall be erected, altered, added to, placed, or permitted to remain on said lots or any of them or any part of any such lot until and unless the plans showing floor areas, external design and the ground location of the intended structure along with a plot plan and a checking fee in the amount of five (\$5.00) dollars have been first delivered to and approved in writing by any two (2) members of a "Committee of Architecture" which shall be initially composed of Fred Kennedy, Dorothy Morris, and William Wyatt, provided that any vacancy on such committee caused by death, resignation, or disability to serve shall be filled on the nomination of LAKE PROPERTIES, INC.. It shall be the purpose of this committee to provide for the maintenance of a high standard of architecture and construction in such a manner as to enhance the aesthetic properties of the developed subdivision.

B. It shall remain the prerogative and in the jurisdiction of the "Committee of Architecture" to review applications and grant approvals for exceptions to this Declaration. Viria-

tions from requirements and, in general, other forms of deviation from those restrictions imposed by this declaration, when such exceptions, variances and deviations do, in no way, detract from the appearance of the premises, nor in any way be detrimental to the public welfare or the property of other persons located in the vicinity thereof, in the sole opinion of the "Committee."

C. All buildings used for dwelling purposes shall be connected to an adequate septic tank and leeching pit, installed in a manner consonant with good sewerage practices and pursuant to the laws of the State of Idaho, and the rules and regulations of the Department of Public Health of the State of Idaho. Such septic tanks and leeching fields shall be a minimum of at least fifty (50') feet from any open body of water or such further distance as may be required by said laws, rules or regulations.

D. A person shall not keep or maintain any live pig or hog or livestock or goats, cows or fowl of any age in any residential zone, whether such animals are kept or maintained for the personal use of the occupants or otherwise.

E. Residences shall have complete and approved plumbing installations before occupancy.

F. The storage of tools, landscaping instruments, household effects, machinery or machinery parts, empty or filled containers, boxes, or bags, trash, materials or other miscellaneous items that shall, in appearance, detract from the aesthetic values of the property, shall be so placed and stored as to be concealed from view from the public right of way.

G. No lot, except as hereinbefore excepted, may be used other than for a single family residence, together with out-

buildings customary to such use, located on the same lot or parcel of land, including:

- a. A private garage with a capacity not to exceed three (3) automobiles.
- b. A boat repair or storage building for the personal use of the occupant.
- c. A children's playhouse.
- d. Lath or greenhouses.
- e. Tool houses.
- f. Hobby shops not used commercially.

EXCEPT, However, churches, temples, or other places used exclusively for religious worship shall be permitted anywhere within the subdivision upon approval of location and development plans by the "Committee of Architecture." Further, each single family residence may, with the approval of the "Committee of Architecture," have one (1) detached guest house on the same premises for the use of temporary guests of the occupants of the premises.

- H. A side yard shall be maintained of at least three (3') feet in depth from all side property lines to the building line of any structure, with a minimum clearance of twenty-four (24") inches from eaves or other projections to the side property line.
- I. No lot or parcel of land shall be divided into smaller lots or parcels under any conditions or circumstances whether for lease, sale, or rental purposes.
- J. A person shall not erect, construct, occupy, or use more than one (1) single family residence on any parcel of land or lot.

IN WITNESS WHEREOF. The Declarant has caused its hand and seal to be affixed hereto this 23rd day of August, 1961.