

RESTRICTIONS FOR BALLYGLEN ESTATES

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The above described property comprises Ballyglen Estates Subdivision and shall be subject to the following restrictions and provisions:

- 1) Single family residence of permanent construction only. Minimum above ground living space of 1,800 square feet. 2,000 of above ground living space, minimum of 1,000 square feet on first floor if more than one story. Construction of residence must be completed within 9 months of beginning. All residences to have a minimum of 25% brick and/or stone fronts. All residences to have a minimum of a 2 car attached garage and 3 gables on the front of the house. All residences to be approved by a majority of the trustees prior to building to their design, materials and location.
- 2) Outbuildings must be approved by a majority of the trustees of Ballyglen Estates as to their design and location. No outbuildings may be constructed prior to completion of residence. All detached garages and outbuildings to match the residences in design, location and building materials and to be approved by a majority of the trustees. Lagoons are not permitted.
- 3) No structure of temporary character, trailer, basement, tent, shack, garage or other outbuildings shall be used as a place of residence temporarily or permanently. No modular, doublewide or prefabricated homes allowed.
- 4) No livestock, cattle, hogs, or poultry of any kind shall be raised, bred or kept except household pets, provided they are not kept or bred for commercial purposes. No more than 2 dogs and 2 cats per residence unless approved by a majority of the trustees. No dogs or cats shall be permitted to be off the lot of the owner unless on a leash. All fencing must be approved by a majority of the trustees to its design and location. No type of chain link or wire fencing permitted.
- 5) Unlicensed motor vehicles other than construction or farm equipment shall not be operated on subdivision roads. Nor shall unlicensed drivers be permitted to operate motor vehicles on subdivision road.
- 6) Building set back lines are as follows; no buildings closer than 75 feet of the road easement or 30 feet of the property lines. The trustees may allow for a variance to these setback lines.
- 7) No unlicensed vehicles, salvage, dumping or other visible storage which constitute a nuisance or annoyance to the neighborhood. No vehicles parked in open views allowed on any lot unless the vehicle is licensed and driven a minimum of once every seven days.
- 8) Any vehicle larger than a standard size pickup truck, and any boats, trailers, or other miscellaneous vehicles other than operating cars and pickups, must be parked to the rear of the residence. Swing sets, trampolines and the like are restricted to the rear of the residence. Above ground swimming pools are not permitted.
- 9) No road may be constructed or road easement granted connecting subdivision road to land

outside the subdivision other than by the under signed developer or a 60% vote of owners quorum.

10) No commercial businesses. No subdividing resulting in a lot less than 3 acres.

11) Lot owners shall keep their lots mowed on a reasonable schedule as not to create a nuisance to their neighbors. If this is not done trustees have the right to enter the lot to mow it and an assessment may be charged against the lot owner.

12) Lot owners shall be assessed \$300.00 per year for road maintenance. This assessment is subject to change by a 60% majority vote of the lot owners.

13) Special assessments may be approved by a 60% majority vote of the lot owners with a quorum of owners by proxy votes allowed.

14) Any lot owner who owns two or more connecting tracts will be considered a single lot owner entitled to one vote and may be assessed as only one lot. An exception to this are the developers who may exercise the right to have one vote per unsold lot.

15) Assessments are due within 30 days after notice. After the due date the assessments will bear a 10% per annum charge until paid and such assessment and interest shall constitute a lien upon said lot.

16) These provisions may be revised or variances granted by a 60% vote of owners or a quorum of owners, one vote per lot owner. Proxy votes are allowed.

17) Any owner who violates the restrictions may be subject to a suit for compliance by an individual owner at their own expense, or by the subdivision trustees, when so directed by a majority of owners at the expense of all lot owners. The trustees shall collect reasonable attorney fees for any suit against the subdivision from the lot owners in violation. The undersigned have no obligation of enforcement of restrictions except in their capacity as lot owners.

18) The trustees will comprise of 3 in number and will be the governing body for the development. They shall have the right to prepare and enforce all reasonable rules and regulations for the enforcement of these restrictions and covenants; and they shall be authorized to grant variances for unusual conditions.

19) The first board of Trustees shall consist of Edward Buscher, Pam Brown and Philip Reid they shall serve until October 6, 2009. Afterwards a new board shall be elected for 3 year terms by the lot owners. The remaining trustees shall select a lot owner to fill any vacancy caused by resignation.

20) Developers reserve right to expand any existing road and utility easements up to 60 feet and reserve right to grant road and utility easements to adjoining property owned by the developers presently or in the future.