

**RESERVATIONS AND RESTRICTIONS
OF BLOCK 1, SECTION 1,
IVY WOODS SUBDIVISION**

1. Lots shown on the plat are to be used for single family residential purposes only. No further subdivision of any lot shown on the plat shall be made without the prior written approval of the Architectural Committee.

2. No Structure shall be erected, placed or permitted to remain on any of the foregoing lots other than the one detached single family dwelling, not to exceed two and one-half stories in height at the elevation facing the street, and a private garage.

3. Except with the prior written approval of the Architectural Committee hereinafter referred to, no building of any kind including garages shall be located on any lot less than 40 feet from any street line and no building shall be located less than 15 feet from any side lot line, or less than 50 feet from any rear lot line.

4. No residential structure which has a minimum area of less than 1800 square feet of heated area for two story and 1500 square feet of heated area for one story structures exclusive of all porches, basements, and garages shall be erected or placed on any lot.

5. No building, fence, outside lighting, screen planting, or other structure or improvement shall be erected, placed or altered on any lot until the proposed building plans and specifications showing floor plans, the four elevations, exterior color or finish, roofing material, a plot plan detailing the proposed location of such building or structure, drives and parking areas and the construction schedule have been filed with and approved in writing by the Architectural Committee. Refusal or approval of plans, location or specification may be based by the Architectural Committee upon any ground, including purely aesthetic conditions, which in the sole and uncontrolled discretion of the Architectural Committee shall seem sufficient. Architectural design giving a rustic appearance will be encouraged by the Architectural Committee. This restriction is subject to the proviso that in the event no suit to enjoin the erection of a building or the altering of existing buildings has been commenced prior to the completion of the work, such approval will not be required and this covenant will be deemed to have been fully satisfied.

6. No noxious or offensive activity shall be carried on within this subdivision, nor shall anything be done thereon which shall constitute a nuisance to the adjoining landowners. No signs or billboards shall be erected or maintained on any lot unless approved in advance by the Architectural Committee. No trade materials or inventories may be stored upon the premises and no trucks (including, but not limited to, pickup trucks), vans, trailers (including, but not limited to, campers, recreational vehicles, mobile homes, or house trailers), boats or tractors may be

stored or regularly parked on the premises except in a garage or well screened enclosure. All trash and garbage must be kept in underground receptacles unless within the utility yard referred to in Paragraph II hereof. No Business activity or trade of any kind whatsoever shall be carried on upon any building site.

7. No trailer (including, but not limited to, campers, recreational vehicles, house trailers and mobile homes), basement (unless said basement is part of a residence erected at the same time), tent, shack, barn or other outbuilding shall be erected or placed on any property covered by these covenants, except as a specifically permitted herein.

8. No animals or poultry of any kind, other than house pets shall be kept or maintained on any lot.

9. Adequate off-street parking shall be provided by the owner of each lot for the parking of the automobile or automobiles of such owner and his household and owners of lots shown on said plat shall not park their automobiles on the streets in this subdivision.

10. Each owner shall keep his property in this subdivision free of tall grass, undergrowth, dead trees, trash and rubbish and properly maintained so as to maintain a pleasing appearance and prevent erosion.

11. The following buildings, structures and objects may be erected and maintained and allowed to remain on a building site only if the same are located wholly within the main residence, a garage or wholly within a utility yard; pens, yards and houses for pets, above ground storage of construction materials, wood, coal, oil and other fuels, clothes racks and lines, clothes washing and drying equipment, laundry rooms, tool shops and workshops, garbage and trash cans, boats and boat trailers and receptacles (other than underground receptacles referred to in Paragraph 6 hereof) and above ground exterior air-conditioning and heating equipment and other mechanical equipment and any other structures or objects determined by the Architectural Committee to be of unsightly nature or appearance. If a utility yard is utilized to enclose any one or more of the above mentioned items, said utility yard shall be walled or fenced and the entrance thereto shall be screened using materials and with a height and design approved by the Architectural Committee.

12. Notwithstanding the requirements of Paragraph 11 above, owners will be permitted to maintain unenclosed wood piles which are neatly stacked and kept for firewood purposes and which said wood piles do not exceed a length of 12 feet and a height of 4 feet.

13. All telephone, electric and other utility lines and connections between the main utility lines and residence and other buildings located on each building site shall be concealed and located underground so as not to be visible.

14. No living trees which have a diameter of over 5 inches may be cut on any lot except with the prior written approval of the Architectural Committee. Approval for the removal of trees located within 10 feet of the main dwelling or garage or within 10 feet of the approved site for such building will be granted unless such removal will substantially decrease the beauty of the lot.

15. Allen W. Harvey and Fern W. Harvey, for themselves and their successors and assigns, hereby reserve, and are given a perpetual easement, privilege and right for utility purposes, on, in and under a five (5) foot strip along the rear line of each building site and on, in and under a five (5) foot strip along the interior side lot line of each subdivision lot.

16. These restrictions are to run with the land and shall be binding until January 1, 2000, at which time said restrictions shall automatically be extended for successive periods of ten (10) years unless by instrument duly signed and acknowledged by the owners of the property constituting not less than 75% of the lots shown on all the recorded plats of the Ivy Woods Subdivision Complex and duly recorded in the Clerk's Office of the Circuit Court of Bedford County, Virginia, said restrictions are terminated in whole or in part. By instrument duly signed and acknowledged by the owners of all lots shown on the aforesaid plats and recorded in the aforesaid Clerk's Office, these restrictions may be at any provision with respect to the membership, responsibility, powers or duties of the Architectural Committee may be amended only by instrument duly recorded, signed, and acknowledged by the owners of all lots in the Ivy Woods Subdivision complex and subject to restrictions pertaining to such Architectural Committee.

17. The Architectural Committee, hereinabove from time to time mentioned, shall consist of five (5) persons appointed annually on the first day of June by Allen W. Harvey and Fern W. Harvey, their successors or assigns, to serve for one (1) year or until their successors shall have been duly appointed. Any vacancy occurring in the membership of said Committee may be filled for the balance of the unexpired term by majority vote of the remaining members of the committee. One member of such Committee shall be a qualified architect. Said Committee shall select one of its members as Chairman, keep written minutes of its proceedings, and have the right to establish reasonable by-laws, rules and regulations for carrying on its business. Any matter submitted in writing to all members of the Architectural Committee with written request for approval by said Committee which is neither approved nor disapproved within thirty (30) days after such submission shall be deemed to have been approved.

The Architectural Committee may, by unanimous written consent, designate one (1) of its members to act for it with respect to such matters as said Committee may see fit, but such designation shall be subject to termination at any time by the Committee upon request of any member thereof. No Committee member shall be entitled to compensation for serving as such.

18. These restrictions shall be enforceable at law or equity by Allen W. Harvey and Fern W. Harvey, their successors or assigns, as well as by the owner or owners of lots in the Ivy Woods Subdivision Complex. Invalidation of any of these restrictions or any part thereof by judgment or Court Order or otherwise, shall not affect any other provision hereof which shall remain in full force and effect.

19. These reservations and restrictions shall be applicable only to the property shown on the plat with which these reservations and restrictions are recorded and shall not be applicable to any adjacent property or other property owned by Allen W. Harvey and Fern W. Harvey unless expressly made so applicable by a further deed of dedication. The term "Ivy Woods Subdivision Complex" as used herein refers to Block 1, Section 1, Ivy Woods Subdivision and additional adjoining areas as may have been developed by Allen W. Harvey and Fern W. Harvey under the name "Ivy Woods Subdivision" at the time in question.