

Restrictive Covenants

For The

NIZINA SOUTH SUBDIVISION

According To The Flat Thereof

TREES

Lots upon which standing trees exist shall not be completely cleared. Lots may be partially cleared to provide space for buildings, structures, utilities, gardens, lawns, walkways, drive-ways, and surfaced parking areas, and to provide clearance around buildings equal to the height of adjacent trees to prevent trees falling on buildings. The intent of this covenant is to retain the natural beauty and esthetic value of trees for the entire subdivision, to maintain privacy and to protect the screening effect which trees afford to nearby lots.

RESUBDIVISION

The area of the lots of this subdivision shall not be reduced in size by re-subdivision unless an instrument signed by the then record owners of a majority of the lots in this subdivision agreeing to the subdivision has been recorded.

GARBAGE, TRASH, RUBBISH & REFUSE DISPOSAL

No lot in this subdivision may be used as a dumping ground for garbage, trash, rubbish and refuse, except that garbage, trash, rubbish and refuse may be thoroughly burned, and the ashes thereof may then be buried on the premises of origin.

BUILDING SETBACK

No building shall be located on any lot in this subdivision nearer than thirty feet (30') to the front lot line, or nearer than twenty-five feet (25') to any side street line. No building shall be located on any lot in this subdivision nearer than twenty feet (20') to any side or rear lot line.

BUILDING CONTROL

BUILDING CONTROL AND PROCEDURE. No structure shall be erected, placed, or altered on a lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Building Control Committee as to quality of workmanship and materials, harmony of external design, color and materials with existing structures, and as to location with respect to topography and finish grade elevation.

The committee's approval or disapproval as required in these covenants shall be in writing. In the event the committee, or its designated representative fails to approve or disapprove within ten (10) days after the plans and specifications have been submitted to it, approval will not be required and related covenants shall be deemed to have been fully complied with.

BUILDING CONTROL COMMITTEE: The Building Control Committee is composed of:

Mrs. Harley B. King
Long Lake via Glennallen, Alaska 99588

Warren F. Smith
Box 2571, Fairbanks, Alaska 99701

Mike J. Shelton
Box 572, Glennallen, Alaska 99588

A majority of the committee may designate a representative to act for it. In the event of death or resignation of any member of the Committee, the remaining members shall have full authority to designate a successor. Neither the members of the Committee, nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. At any time, the then record owners of a majority of the lots shall have the power, through duly recorded written instrument, to change the membership of the Committee or to withdraw the Committee or to restore to it any powers and duties.

LANDSCAPING

Natural forest conditions will be preserved to the fullest extent. Tree pruning and clearance will be held minimum. The use of painted or whitewashed rocks or trees and other types of decorations foreign to the natural environment will not be approved.

SIGNS

No more than one sign will be approved for each residence. Text will be limited to the owner's name and/or name of residence. Overall dimensions will be the minimum required to present the text in letters of reasonable size. Only rustic, low profile signs in colors that blend with the forest environment will be approved. Signs will not be placed on trees. Number, type and size of signs for commercial facilities shall be as approved by the Building Control Committee.

MAINTENANCE

The premises and improvements of all lots in this subdivision shall be maintained in a sanitary, safe, orderly condition and in a good state of repair.

BUILDING DESIGN

Simplicity, good proportions, and appearance of naturalness to the forest setting are desired in completed structures. Ornate or showy structures will not be approved.

PLANS

The minimum requirements for plans to be submitted to the Building Control Committee are as follows:

1. Building Plans The plans may be prepared by an architect, which is preferred, or be drawn by the owner if the facilities are relatively simple and the necessary detail is shown.

Plans will include design and type of materials to be used. This will include floor plans, a perspective sketch, or simple front and side elevation; and construction details for foundation, framing, roof pitch, electrical, heating, water supply and sewage disposal facilities.

2. Site Plans A site plan of the lot will be required showing locations of all buildings, powerlines, waterlines, wells, septic tanks, driveways and other construction, both proposed and existing. Lot corners, property lines, and rights-of-way shall be shown.

Plans must be approved by the Building Control Committee before any construction is started.

BUILDING MATERIALS

To present a pleasing appearance, buildings shall fit into their environment. To be structurally sound and lasting, building materials shall be quality products.

1. Foundations Footings are required under all foundation walls or piers. Foundations may consist of either masonry, plain, or reinforced concrete. Construct foundation walls of stone, masonry, poured concrete, treated all-weather wood or treated piling.

2. Exterior Walls The use of bright colors, corrugated iron, or tar paper will not be approved. Stains are preferable to paints for outside wood surfaces. The natural wood color may be retained or stains may be colored to produce a neutral brown, neutral green or weathered gray. Where paint is required, soft browns, greens and grays are preferred. Window and door casings and other outside trim must harmonize with the background and should not present strong contrasts.

3. Roofs All roofs must be designed to withstand a snow and ice load of at least 40 pounds per square foot over the entire surface. Steeply pitched roofs are preferable.

For pitched roofs, wood shingles or shakes, subdued natural-colored asphalt tab-strip composition shingles (minimum weight of 168 pounds per square) and embossed brown or green enameled or anodized aluminum (Minimum .024 inch thickness) are acceptable roofing materials. Rolled roofing will not be approved.

4. Outbuildings The arrangement of all buildings on the site shall be so planned that they bear a definite and harmonious relationship to each other. Use the same type of exterior finish, roof slopes, and color where possible.

5. Sanitation A water supply shall be developed and sewage disposal facilities installed in accordance with plans submitted by the owner, unless a public or semi-public water supply and sewage disposal system becomes available and is used. Above ground facilities constructed in connection with the development of these facilities must harmonize with the residence. Wells shall be protected from contamination. Wells, septic tanks, sewers and leaching pits shall be located and constructed in accordance with Alaska Department of Environmental Conservation Standards.

Any septic tank or leaching pit must be located at least one hundred feet (100') from any existing water supply well. No septic tank or leaching pit shall be located nearer than thirty feet (30') to any lot line.

SOIL AND GRAVEL

No soil, gravel or rock shall be removed from any lot in this subdivision without first obtaining the approval of the Building Control Committee.

FOREST FIRES

Lot owners shall take all reasonable precautions to prevent and suppress forest, brush and grass fires. No material shall be disposed of by burning in open fires during any closed season established by law or regulation. All chimneys, flues, stovepipes, fireplaces and incinerators shall be equipped with spark screens.

HAZARDS

Rising waters, high winds, falling limbs or trees, bear, wolves, moose and other hazardous natural phenomena in this subdivision present risks which the lot owner assumes. The owner shall inspect his lot for dangerous trees, limbs and other natural hazards and shall take his own appropriate and lawful precautions.

WATER POLLUTION

No waste shall be discharged in this subdivision if it contains any substances in concentrations which will result in substantial harm to fish and wildlife or to human water supplies.

Storage facilities for materials capable of causing water pollution if accidentally discharged, shall be located and constructed so as to prevent any spillage that would result in substantial harm to fish and wildlife or to human water supplies.

ELECTRICAL INSTALLATIONS

All electrical installations in this subdivision shall conform to the latest edition of the National Electric Code at the time of installation. Electric power plants shall be equipped with residential exhaust silencing.

PLUMBING INSTALLATIONS

All plumbing installations in this subdivision shall conform to the latest edition of the National Plumbing Code at the time of installation.

BUILDINGS

All buildings in this subdivision shall conform to the latest edition of the Uniform Building Code at the time of construction.

FENCES

No fences shall be erected on any lot in this subdivision except with the written approval of the Building Control Committee. Any fences so erected shall be attached to posts, and fence wire shall not be fastened to trees.

EXPLOSIVES

No lot in this subdivision will be used for the storage of explosives.

HUNTING

There shall be no shooting or trapping on any lot in this subdivision.

DOGS AND CATS

Dogs, cats and other domestic animals shall be restrained to prevent their threatening people, harassing game or otherwise becoming nuisances, nor will they be confined in such a manner which might cause contamination of creeks, springs or other water sources.

HERBICIDES AND PESTICIDES

Herbicides and pesticides shall not be used to kill vegetation, insects, animals or fish on any lot in this subdivision, except with the prior written approval of the Building Control Committee. Only those pesticides and herbicides approved and registered by the U.S. Department of Agriculture for the specific purpose proposed will be approved for use within this subdivision.

STORAGE

All boats, trailers, campers, motorcycles, snow machines, all-terrain vehicles, and cross-country vehicles of any type, Midget cars, and all other similar types of property shall be stored, kept, located and maintained within the set-back lines of lots, and no such property shall be stored, kept or maintained on any street in the subdivision.

AUTOMOBILES

No automobile or other mobile equipment may be abandoned or allowed to remain on any lot for more than seven days if it is not in operating condition, and all vehicles on any lot must be licensed. No heavy equipment such as bulldozers and road graders, may be parked on any lot or street except during that time it is actually working in the subdivision in a continuous manner.

TERM

These covenants will be in effect for the NIZINA SOUTH SUBDIVISION from the date on which these covenants are recorded. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty-five (25) years from the date these covenants are recorded, after which time such covenants shall be automatically extended for successive periods of ten (10) years, unless an instrument signed by the then record owners of a majority of the lots has been recorded, agreeing to change said covenants in whole or in part.

SEVERABILITY

If any of these covenants is held invalid or found unlawful, the remainder of these covenants and application thereof shall not be affected thereby.

CERTIFICATE OF OWNERSHIP

I hereby certify that I am the legal owner of the Nizina South Subdivision, and that I hereby approve and adopt these covenants for the Nizina South Subdivision.

Date 6-85-83

Owner L. J. King
LONG LAKE Via, Glennallen, AK, 99588

NOTARY'S ACKNOWLEDGMENT

Subscribed and sworn to before me this 25th day of June, 1983.

My Commission Expires 9-18-86

Rose M. Zerby

Seal



REQESTED BY L. J. KING
ON 6-15-83
ADDRESS GLENNALLEN, AK. 99588

RECORDED
CHITINA REC.
DISTRICT

83-0747