

PROTECTIVE COVENANTS AND RESTRICTIONS FOR  
FAIRVIEW ACRES

## PREAMBLE

Hermann A. Spegel does hereby establish and file for record the following declarations, reservations, protective covenants, limitations, conditions and restrictions regarding the use and/or improvement of the property located in the FAIRVIEW ACRES subdivision which is part of the N 1/2, NE 1/4, of Section 35, Township 17 North, Range 2 West, Seward Meridian; more particularly described as follows:

The North one-half of the Northeast one-quarter (N 1/2 NE 1/4) of Section 35, Township 17 North, Range 2 West, Seward Meridian, Records of the Palmer Recording District, Third Judicial District, State of Alaska, EXCEPTING THEREFROM the Southeast one-quarter of the South one-half of the North one-half of the Northeast one-quarter (SE 1/4 S 1/2 N 1/2 NE 1/4) and the East one-half of the Northeast one-quarter of the North one-half of the Northeast one-quarter (E 1/2 NE 1/4 N 1/2 N 1/2 NE 1/4).

The plat of this subdivision is recorded in the Office of the Recorder for the Palmer Recording District as Plat No. 83-139, Serial No. 83-15263 of the said records, which said plat makes reference to these covenants.

## COVENANTS

- 1) All lots may be used for single or multi-family residential purposes only.
- 2) All driveway approaches will be built from the driving surface of the main road to the edge of the lot, with a minimum 12 feet width on top and perpendicular to the road.
- 3) Buildings or attachments may not be located on any lot nearer than twenty-five (25) feet to any road easements. No buildings or attachments shall be located on any lot nearer than ten (10) feet to the rear lot line or any interior lot line.
- 4) It being the intention and purpose of the covenants to assure that all dwellings shall be of quality workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded, the minimum ground floor area of the main structure exclusive of one-story open porches and garages shall contain not less than 900 square feet for one-story dwellings, or less than 600 square feet for a dwelling of more than one story. All lots are restricted to buildings and dwellings with permanent foundations. Mobile homes are not allowed.
- 5) Buildings may not remain in an unfinished state externally for more than one (1) year. All garages, out-buildings, and storage buildings shall be of the same desirable quality and workmanship as the residential dwelling. No quonset huts or surplus buildings shall be used on any lot for any purpose. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out-building shall be used on any lot at any time as a residence either temporarily or permanently.

6) Signs shall not be displayed to the public view on any lot except one sign of not more than five (5) square feet advertising the property for sale or rent and a sign of equal size to show property ownership.

7) In order to maintain the natural setting and aesthetic value of the FAIRVIEW ACRES subdivision, extreme care will be taken in the construction phase to retain as many of the trees and as much of the natural vegetation as possible. In any case a minimum of forty (40) percent of the existing trees will be left on each lot. Thinning is permitted to obtain areas for lawns or views, but clear cutting is not. In any landscaping effort tree stumps shall not exceed three (3) inches in height from the natural ground elevation and all tree trunks and trimmings must be removed from the lot within thirty (30) days of cutting.

8) Easements for installation and maintenance of utilities are reserved as shown on the recorded plat.

9) All water wells and septic systems shall be a minimum distance of one hundred (100) feet apart within and without of each lot. Sewage disposal systems shall be designed, located, constructed and approved in accordance with the requirements, standards and recommendations of Alaska Department of Environmental Conservation. No dwelling shall be occupied prior to construction of an approved disposal system.

10) Lots shall not be used or maintained as a dumping ground for rubbish. No private garbage pits will be allowed. Trash, garbage or other waste shall not be kept except in sanitary containers. All equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition. No lot shall be used for storage of derelict or unregistered motor vehicles or any unsightly accumulation of surplus property. No heavy equipment allowed.

11) Activity which is noxious or offensive shall not be permitted nor shall anything be done thereon which may be unsightly, or become an annoyance or nuisance to the neighborhood. Any items that may be viewed as objectionable such as bicycles, snow machines or yard working tools must be stored out of view of the streets and neighbors.

12) Animals, livestock or poultry may not be raised, bred or kept on any lot except dogs, cats or other normal household pets, provided that they are not kept, bred or maintained for any commercial purposes. All dogs shall be restrained as necessary to prevent their becoming a nuisance. Specifically excluded and not allowed on any lot are dog teams or hogs. Excepted from the first line of this paragraph are lots 5, 6, 12, 13, 14 & 15 of Block 2, for these lots the following holds true: Animals, livestock or poultry may not be raised, bred or kept on any lot if their presence creates offensive, loud noises or produces objectionable odors or if the manner of their keeping produces sights that are viewed as generally objectionable for a suburban residential area. A maximum of two (2) horses per two (2) acres (not to exceed four (4) horses per tract) are allowed provided they meet the aforementioned requirements and the tract they are on is at least two (2) acres in size. Furthermore, horses may not be kept at stud or bred on the properties. Strict adherence to No. 11 is essential to the right to retain animals, livestock or poultry.

