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FILED FOR RECORD

At 2 O'Clock P.M.

NOV 18 1993

PROTECTIVE COVENANTS FOR WESTON HILLS SUBDIVISION  
HIGHWAY 264  
CAVE SPRINGS, AR  
PHASE II

SUE HODGES  
Clerk and Recorder  
BENTON COUNTY, ARK.

No offensive trade shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. It being the express understanding that Weston Hills Subdivision is for residential purposes only. Child care in the home would be permitted. Discharge of firearms in the subdivision is prohibited.

No animals, livestock, or poultry shall be raised, bred or kept on any lot, except that cats, dogs, or other household pets may be kept and maintained provided that they are not kept, bred or maintained for any commercial purposes. Household pets shall be maintained in a clean and sanitary situation and shall not be a nuisance to the surrounding owners.

All automobiles and other authorized vehicles in the said subdivision must be State licensed, State inspected and in running order at all times. All vehicles are to be parked at all times in a designated area i.e. garage or driveway and are not to be parked at any time in the yard or streets.

Property owners must mow their lots, remove trash on a weekly basis and in general keep their property in an attractive condition.

Fences may be erected on the property of lot owners, but the building material must be approved by the Land Developer. Also, the fence must not extend beyond the front of the home.

It is suggested by the developer, upon selling at least 20 lots, to form an formal Home Owners Improvement Association with the sole desire of meeting every few months to welcome new neighbors to the area, plus adopting suggestions by members, ratified by a majority, for the proper care and improvement of the facilities and appearance of Weston Hills. Also, it will be the duty of the Home Owner's Association, as well as the developer, to enforce the Covenants of the Subdivision.

The Association may adopt rules and supplements to these Covenants as are needed. This would include small assessments to each lot for special improvements to Weston Hills. Streets will be maintained by the City of Cave Springs.

For a period of twelve (12) months after developer has sold all the lots, the said developer has the right to disapprove of any action taken by the Home Owner's Association.

MP Development  
1100 N. 34th  
Rogers 72756

20944

This right to disapprove may be used to block proposed actions, but shall not extend to the requiring of any action or counteraction by the Association or its Board of Directors. The developer shall not use its right to disapprove to reduce the level of services which the Association is obliged to provide or to prevent capital repairs or any expenditures required to comply with applicable laws and regulations. The developer may, in its discretion, determine to relinquish its right to disapprove actions of the Association earlier than said twelve (12) month period.

Notwithstanding any provisions contained in the Covenants to the contrary, so long as construction and sale of lots or homes continues, it shall be permissible for the developer or any builder designated by the developer to carry on and maintain such facilities and activities as they deem reasonably necessary, convenient or incidental to the construction or sale of homes or lots, including, but not limited to business offices, signs, model units and sales offices.

Types of construction on Site Built Homes only:

A. Homes on Highway 264 must be a minimum of 1250 square feet of heated area, excluding garage. Homes in the interior of subdivision must have a minimum of 1150 square feet of heated area, excluding garage.

B. Homes must be a minimum of 10' from either side of lot. There must be at least 40' of setback from the curb to the front of the home and a maximum of 55' from the curb to the front of the home. This may be amended by the developer if terrain dictates that some change would be practical.

C. Homes must have an attached 2-car garage with a minimum of 400 square feet. There must be minimum of 30% brick or stone on home. Roof pitch below 6-12 is not permitted. Also, a maintenance free exterior must be provided on the outside of the home.

It is required by the City of Cave Springs and the developer that the builder on any given lot must construct a 4' wide sidewalk located 4' from the back of the curb. There will be no reinforcing wire in the sidewalk. The sidewalk will be a minimum of 4" thick. There is to be a 4' wide green area between the back of the curb and the sidewalk. There is to be a handicap access ramp on both the East and West ends of the sidewalks. The sidewalks are only required in front of lots 1 through 8.

Developer agrees to install City Water, Natural Gas, Underground Electric, Curb and Gutter, Hot-Mix Streets, erect Street Signs, Stop Signs and Street Lights as needed.

No homes will access directly off Clayton Road.

It shall be lawful for the developer, Home Owners Association, or any person or persons owning any of the lands in this Subdivision to prosecute or take proceedings at law or in equity against any person or persons violating or attempting to violate any of these covenants to prevent the same or to recover damages therefrom.

There will be allowed only one home on any given lot. Only one family will be allowed in each home.

No lot splits are permitted in this subdivision.

Each resident will be allowed to have a storage building if they so desire as long as the design of the building is conducive with the surrounding structures; is placed only behind their residence and not at the side or front of the property; is kept in a neat and clean manner; does not create a nuisance to the surrounding property owners; and is approved by the Association prior to placing on the property.

The developer has the right but not the obligation to enforce the Covenants of Weston Hills.

All buyers of lots in Weston Hills Subdivision have been provided a copy of these Covenants. It is agreed that said buyers, upon signing a lot purchase agreement, will abide by said Covenants as they are written.

In witness thereof, this instrument is hereby executed on this 3<sup>rd</sup> day of November, 1998. I, the undersigned, being the owner and developer of Weston Hills Subdivision do hereby submit these covenants.

Nadine Phillips  
NADINE PHILLIPS

Franklin Miller  
FRANKLIN MILLER

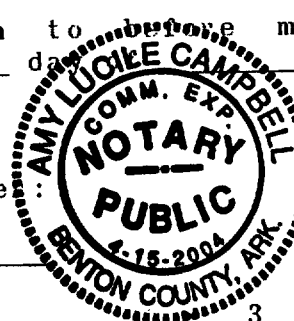
ACKNOWLEDGMENT

STATE OF ARKANSAS  
COUNTY OF BENTON

Subscribed and sworn to before me, a duly qualified Notary Public, this 3rd day of November, 1998.

My Commission Expires

4-15-2004



Amy Lucike Campbell  
NOTARY PUBLIC