

NOV 9 1977

JOSEPHINE R. HEYLAND  
Clark and Recorder  
BENTON COUNTY, ARK.PROTECTIVE COVENANTS FOR  
WHISPERING TIMBERS SUBDIVISION

Frank M. Smith Development, Inc. is the sole owner and developer of Whispering Timbers, Phase 1 Subdivision, containing forty-seven (47) lots, and does hereby establish and create the following Protective Covenants which shall apply to said lots as shown on the recorded plat of the said Subdivision.

1. SINGLE-FAMILY RESIDENTIAL LAND USE AND BUILDING TYPE. The lots shall be held, owned and used only for single-family residential building sites. No structure shall be erected, altered, placed or permitted to remain on any single-family or residential building site other than a single, detached single-family dwelling, which shall not exceed two and one-half stories in height, a private garage for not less than two cars, swimming pools and other outbuildings incidental and related to residential use of premises.
2. BUILDING LIMITATIONS. No single-family residence shall be constructed on said lots of less than 1,400 square feet of living space, said space excluding porches, garages, patios, decks and other attachments to the dwelling.
3. YARD SPACE RESTRICTIONS. No single-family residential building shall be located nearer than 25 feet to the front property line nor nearer than 7½ feet to the side property line, nor nearer than 20 feet to the rear property line, nor nearer than 25 feet from a side street line. Should any building set-back line shown upon the plat of Phase 1 vary from the set-back requirements required herein, the building set-back lines shown upon the said plat as filed shall control those stated herein.
4. FENCES. Fencing of front yards is prohibited; however, lot owners may fence the back yards.
5. OFF-STREET PARKING. All vehicles of the respective lot owners shall be parked in the garage or driveway of the respective lots, and parking on the streets defined in the plat shall be prohibited.
6. SIGNS. No signs, either permanent or temporary, of any kind, shall be placed or erected on any property except that a single sign not more than five square feet in size may be permitted upon property to advertise the same for sale or for rent.
7. TEMPORARY STRUCTURES. No trailer, basement, tent, shack, garage, barn or other outbuilding erected on a building site covered by these covenants shall at any time be used for human habitation, temporarily or permanently, nor shall any structure of a temporary character be used for human habitation. This restriction does not prohibit the storing of recreational vehicles on the lots.
8. OIL AND MINING OPERATIONS. No oil drilling, oil development operations, oil refining, quarrying, or mining operations of any kind shall be permitted, nor shall oil wells, crude oil tanks, tunnels, mineral excavations or shafts be permitted upon or at any building site. No derrick or other structure designed for use in boring for oil, natural gas, salt, or any other mineral or petroleum product shall be erected, maintained or permitted upon any building site.
9. LIVESTOCK AND POULTRY. No animals, livestock or poultry of any kind shall be raised or kept on any residential building site except that dogs, cats or other household pets may be kept, provided that they are not kept or maintained for any commercial purposes.
10. EASEMENTS. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and over the rear 10 feet of each lot. No trees, incinerator structures, buildings, pavement or similar improvements shall be grown, built or maintained within the area of the utility easements.

