

RESTRICTIVE COVENANTS FOR BYHALIA ESTATES SUBDIVISION

The following restrictive covenants shall apply to all of the land in Byhalia Estates as shown on the plat, located in Section 7, Township 3 South, Range 7 West in the Town of Hernando in DeSoto County, Mississippi.

Zoning Classification: R-1 Residential

1. All numbered lots shall be for residential use only.
2. Minimum front yard setback to be thirty-five (35) feet. Steps and open porches may project. Minimum rear yard setback to be thirty (30) feet.
3. SideYards- There shall be provided two side yards. One with a minimum width of eight (8) feet; However the sum of the widths of both side yards shall be twenty (20) feet.
4. An unattached accessory building not for living purposes may be erected in the rear yard as permitted by the city of Hernando.
5. The minimum ground floor area of a one-story residence, exclusive of open porches, garages or carports shall be 1700 square feet and for two-story residences the minimum ground floor area, exclusive of open porches, garages or carports, shall be 1000 square feet with the total square footage to be not less than 1700 feet of heated area.
6. No trailer, tent, basement, shack, garage, barn, or other structure erected in the tract shall at any time be used as a residence, temporarily or permanently nor shall any structure of a temporary character be used as a residence.
7. No noxious or offensive trade or activity shall be carried on upon any lot in this subdivision nor shall anything be done thereon which may be or become an annoyance or a nuisance to the neighborhood.
8. There is a perpetual easement as shown on the recorded plan of the subdivision reserved for utility installation and maintenance and drainage.
9. No single carports or single garages will be permitted on any lot. All carports built are required to be double size for two vehicles.
10. No single lot in the subdivision as recorded can be re-subdivided into two or more lots for the purpose of building another dwelling unless approved by the developer.
11. The restrictions of the covenants shall remain in effect from filing date of said plat and protective covenants for a period of 25 years. Enforcement shall be by proceedings of law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain violation or to recover damages. Invalidation of any of these covenants by judgements or court order shall in no wise affect any of the other provisions, which shall remain full force and effect.
12. Lot 1 - CANNOT BE SERVED BY CITY SEWER SERVICES.

OWNER'S CERTIFICATE

I, HUGH THOMAS owner of the property hereon, hereby adopt this as my plan of subdivision and hereby certify that I am the owner in fee simple of the property, and that said property is not encumbered by any mortgage, or any taxes that have become due and payable. This the 21 day of MARCH, 1979.

R. J. Flores

STATE OF MISSISSIPPI, COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for the County and State, Hugh Thomas who acknowledged that he signed and delivered the foregoing plat for the purpose therein mentioned. Given under my hand and official seal of office this the 21 day of March, 1979.

My commission expires: Feb 82

Blanco Flores  
Notary Public

CERTIFICATE OF SURVEY

This is to certify that I have surveyed the subdivision shown hereon and that the plat of same accurately shows the survey and is true and correct.

Joe Frank Lauderdale  
Surveyor

APPROVED BY THE HERNANDO PLANNING COMMISSION ON THE 7<sup>TH</sup> DAY OF Aug, 1979.

APPROVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF HERNANDO, DESOTO COUNTY, MISSISSIPPI, ON THE 3 DAY OF October, 1979. MINUTE BOOK 8, PAGE     

Ed Winston Smith  
MAYOR

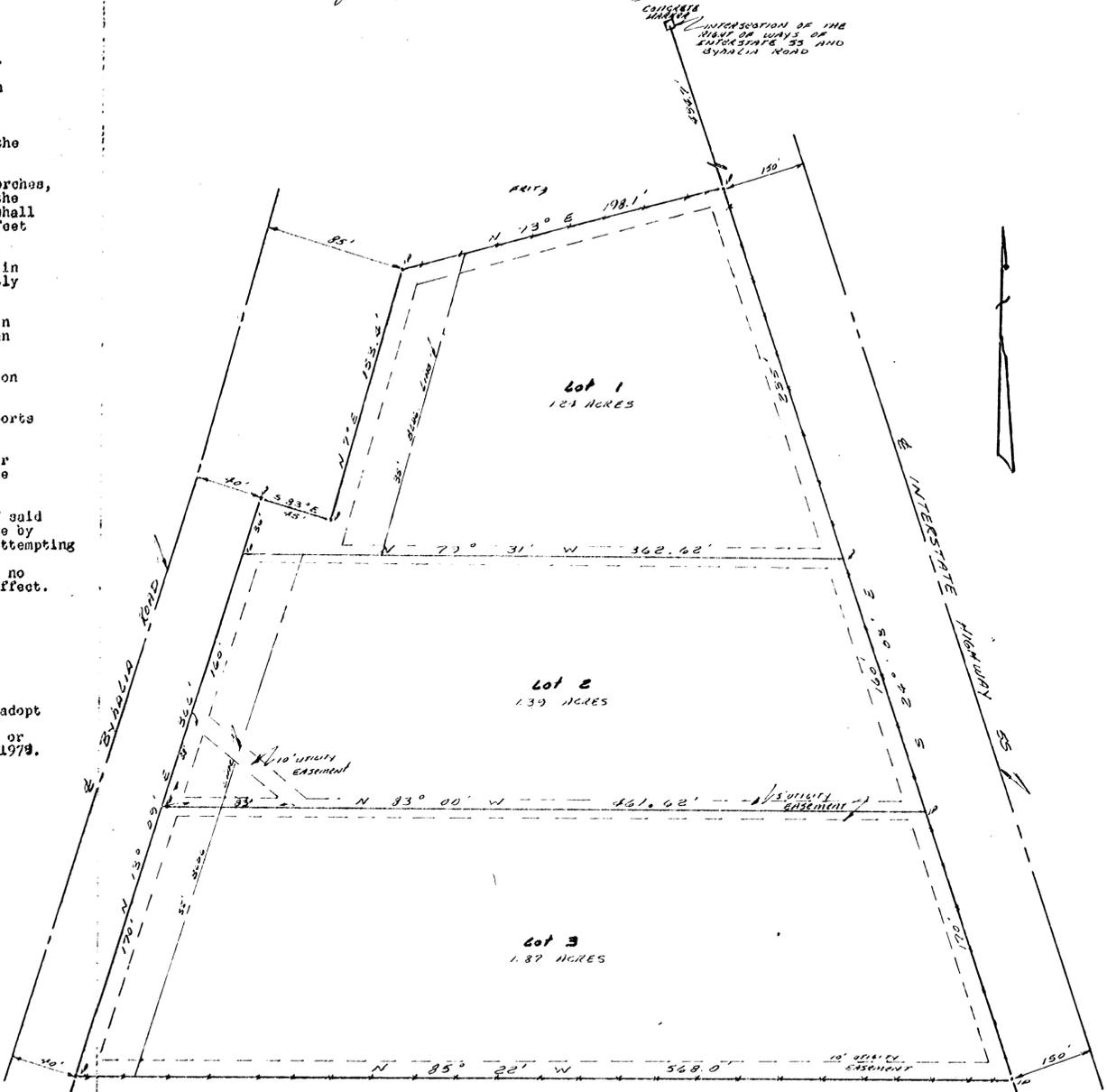
STATE OF MISSISSIPPI, COUNTY OF DESOTO

I hereby certify that the subdivision plat shown hereon was filed for record in my office at 3 o'clock P.M. on the 21-day of March, 1979, and was immediately entered upon the proper Index and duly recorded in plat book      page 49.

Chancery Goldt  
CHANCERY CLERK

We the undersigned owners of Lot 2 agree to the 10 foot sewer easement as shown on plat.

John Jennings, Rita Jennings



WILLIAMS  
FIRST REVISION OF  
**BYHALIA ESTATES**

HERNANDO, MISSISSIPPI  
SECTION 7; TOWNSHIP 3 SOUTH, RANGE  
7 WEST

SCALE: 1" = 50'  
MARCH 15, 1979

J. F. LAUDERDALE  
CIVIL ENGINEER