

RESTRICTIVE COVENANTS FOR HARAWAY GARDENS

THESE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 2000, AT WHICH TIME SAID COVENANTS SHALL EXTEND FOR SUCCESSIVE PERIODS OF TEN YEARS, UNLESS BY A VOTE OF THE THEN OWNERS OF LOTS IT IS AGREED TO CHANGE THE SAID COVENANTS IN WHOLE OR IN PART. IF THE PARTIES HERETO, OR ANY OF THEM, OR THEIR HEIRS OR ASSIGNS, SHALL VIOLATE OR ATTEMPT TO VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR ANY OTHER PERSONS OWNING ANY REAL PROPERTY SITUATED IN THIS SUBDIVISION TO PROSECUTE ANY PROCEEDINGS AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANTS, AND EITHER PREVENT HIM OR THEM FROM DOING SO OR TO RECOVER DAMAGES OR DUES FOR SUCH VIOLATIONS. INVALIDATION OF ANY OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER COVENANTS, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

1. All lots in this subdivision shall be for residential use only and no lot shall be changed in size.
2. No structure shall be erected, altered, placed or permitted to remain on any lot other than a single family zero lot line townhome dwelling, without the approval of the developers or the property owners association. One outbuilding may be constructed provided the building is approved by the developers or property owners association.
3. No fence, either temporary or permanent, shall be placed on any lot which will be closer to the street than the front of the main structure on a lot or closer to the street than the minimum building line for a corner lot. All fencing in the subdivision must be approved by the developers or the property owners association.
4. No trailer, basement, tent, shack, garage, barn, or any out building erected in the subdivision shall at any time be used as a residence, either temporary or permanently. No noxious or offensive trade, mechanical maintenance or repairs 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.
5. No signs shall be permitted in the subdivision larger than five square feet.
6. The total minimum heated area of any townhome residence in the subdivision, exclusive of porches, open porches, or carports, shall be not less than 950 square feet.
7. There is a 35 foot minimum front yard setback on the lots, a 25 foot minimum rear yard set back on the lots and there shall be provided one side yard with a minimum set back of 5 feet.
8. No animals of any kind will be allowed in the subdivision except with the permission of the developers or the property owners association. This permission to keep a pet within the subdivision is subject for review by the developers or the property owners association every six months.
9. All buildings in the subdivision shall be required to meet all local building codes of the City of Olive Branch. All construction shall be required to be completed within 12 months from the date of the beginning of the construction.
10. No radio or television transmission or receiving towers or antennae of more than ten feet above the roof of the house shall be permitted except by permission of the developers or the property owners association. A television dish will not be permitted in the subdivision on any lot.
11. All building and or construction within the subdivision must be approved by the developers or the property owners association.

OWNERS CERTIFICATE

We, LEE HUTCHISON AND UNITED SOUTHERN BANK OWNERS OR MORTGAGE HOLDERS OF THE PROPERTY HEREIN, HEREBY ADOPT THIS AS OUR PLAN OF SUBDIVISION AND DEDICATE THE RIGHT OF WAYS FOR THE STREETS AS SHOWN ON THE PLAT TO THE PUBLIC USE AND TO THE CITY OF OLIVE BRANCH FOREVER. WE ALSO RESERVE THE UTILITY EASEMENTS FOR THE PUBLIC UTILITIES. WE CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY AND THAT NO TAXES HAVE BECOME DUE AND PAYABLE. THIS THE 9<sup>th</sup> DAY OF October, 1990.

*Lee Hutchison*  
LEE HUTCHISON

*Roy Andrews*  
ROY ANDREWS  
UNITED SOUTHERN BANK

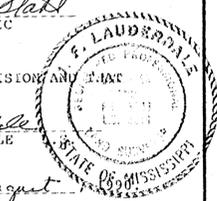
STATE OF MISSISSIPPI COUNTY OF DESOTO

THIS DAY PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE, THE ABOVE NAMED PERSONS WHO ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE FORGOING PLAT FOR THE PURPOSE MENTIONED. GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE THIS THE 9<sup>th</sup> DAY OF October, 1990.

MY COMMISSION EXPIRES: May 18, 1991  
*Reggie Lee Stahl*  
REGGIE LEE STAHL  
NOTARY PUBLIC

CERTIFICATE OF SURVEY

THIS IS TO CERTIFY THAT I HAVE SURVEYED THE PROPERTY FOR THE SAID SUBDIVISION AND THIS PLAT REPRESENTS THAT SURVEY.



*Joseph P. Lauderdale*  
JOSEPH P. LAUDERDALE

APPROVED BY THE OLIVE BRANCH PLANNING COMMISSION ON THE 8th DAY OF August, 1990.

*Frank Gandy*  
FRANK GANDY  
CHAIRMAN

APPROVED BY THE OLIVE BRANCH MAYOR AND BOARD OF ALDERMEN ON THE 13 DAY OF September, 1990.

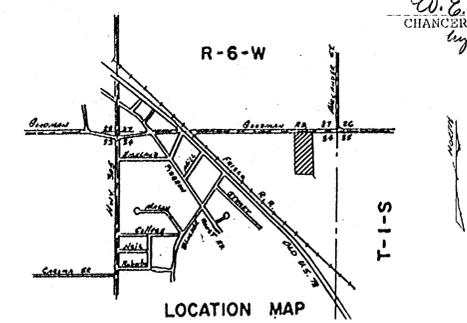
*Lybil H. Barry*  
LYBIL H. BARRY  
CITY CLERK

*William S. Goyos*  
WILLIAM S. GOYOS  
MAYOR

STATE OF MISSISSIPPI COUNTY OF DESOTO

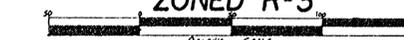
I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON, WAS FILED FOR RECORD IN MY OFFICE AT 4:20 O'CLOCK P.M. ON THE 18th DAY OF Oct, 1990, AND WAS IMMEDIATELY ENTERED UPON THE PROPER INDEX AND DULY RECORDED IN PLAT BOOK 37 ON PAGE 20.

*W. E. Davis*  
W. E. DAVIS  
CHANCERY COURT CLERK  
*Wyn. Archam*

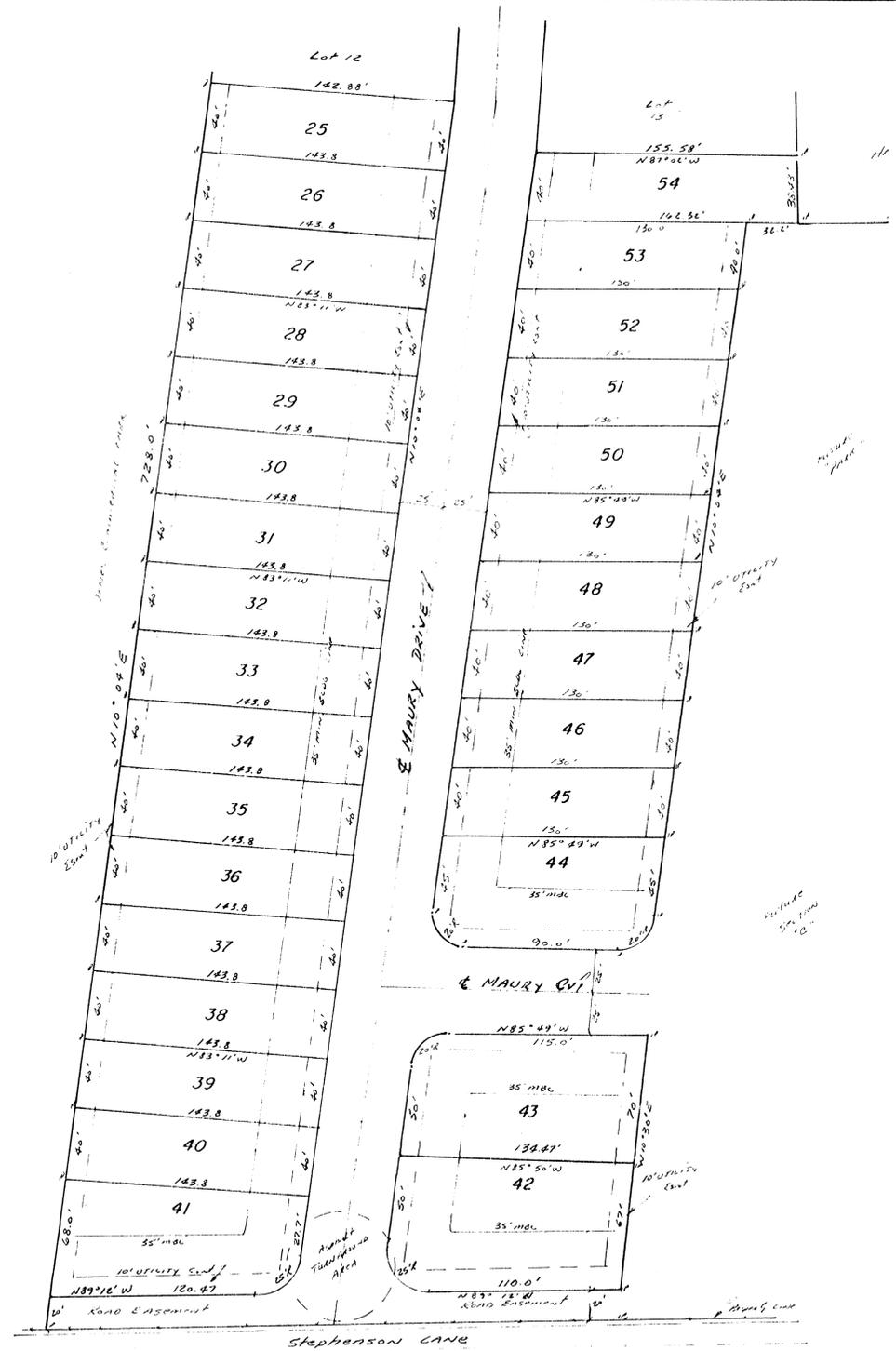


SECTION "B"

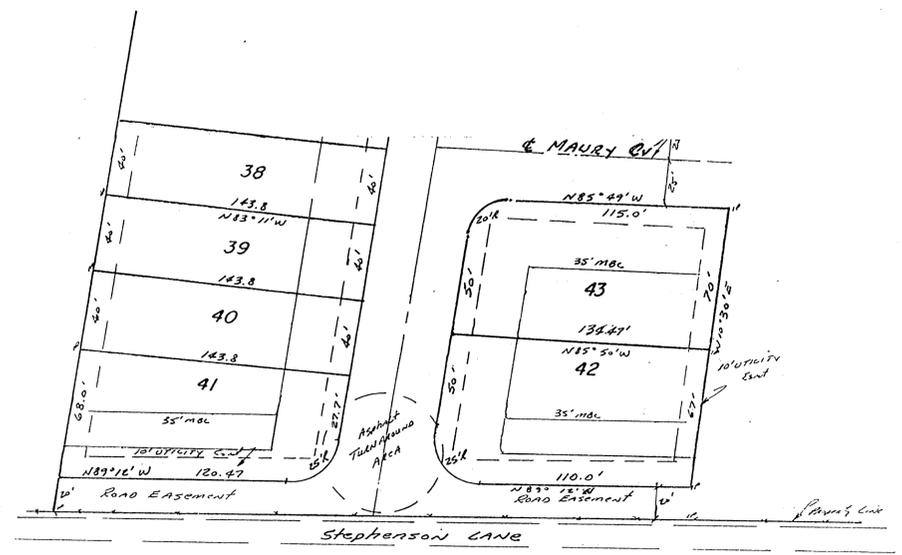
HARAWAY GARDENS  
SECTION 34, TOWNSHIP 1 SOUTH, RANGE 6 WEST  
CITY OF OLIVE BRANCH, DESOTO COUNTY, MS.  
ZONED R-3



SCALE: 1" = 50'  
JULY 1990 J. F. LAUDERDALE  
L. S.  
MISS. NO. 2214  
30 Lots



PLAT OF HARAWAY GARDENS SECTION "B" SHOWING THE PROPOSED NEW BUILDING SETBACK LINE FOR LOT 41 LOCATED IN SECTION 34; TOWNSHIP 1 SOUTH; RANGE 6 WEST; CITY OF OLIVE BRANCH, DESOTO COUNTY, MISSISSIPPI.



SCALE: 1" = 50' Sept. 27, 1991

Third item, being an application to Revise Haraway Gardens Subdivision, Section "B", lots 41 & 42, submitted by Mr. Lee Hutchinson. To change front setback from 35 ft. to 20 ft. along the proposed Stephenson Lane. Property being in Section 34, Township 1 south, Range 6 west. The change of the said two (2) lots may be made direct to the existing recorded plat. After a thorough discussion Alderman Harrison made motion, seconded by Alderman Bowlan to approve said revision. Motion put to vote and passed unanimously.

The third item on the agenda is a Subdivision Revision application filed by Lee Hutchinson. He is requesting to change the building set back lines on lots 41, & 42, of Haraway Gardens Subdivision, Section "B", to be along the future street (Stephenson Lane), from the present 35 ft. from the proposed 20 ft. easement to a line that is 35 ft. from the property line along the proposed Stephenson Lane. Being in Section 34, Township 1 south, Range 6 west. The proposed Stephenson Lane to be now located entirely with in the proposed subdivision. This change of the two (2) lots may be made direct to the existing recorded plat. Lee Hutchinson present to discuss the item. James W. Curtiss addressed the Planning Commission on set back change.

Motion to approve made by Greg Evans, seconded by David Sing. Motion approved and carried.

SECTION "B"  
HARAWAY GARDENS  
SECTION 34; TOWNSHIP 1 SOUTH, RANGE 6 WEST  
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