

# TIMBER OAKS SUBDIVISION

LOCATED IN SECTION 15 TOWNSHIP 2 SOUTH  
RANGE 8 WEST  
DeSOTO COUNTY, MS.

### RESTRICTIVE COVENANTS TIMBER OAKS SUBDIVISION

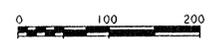
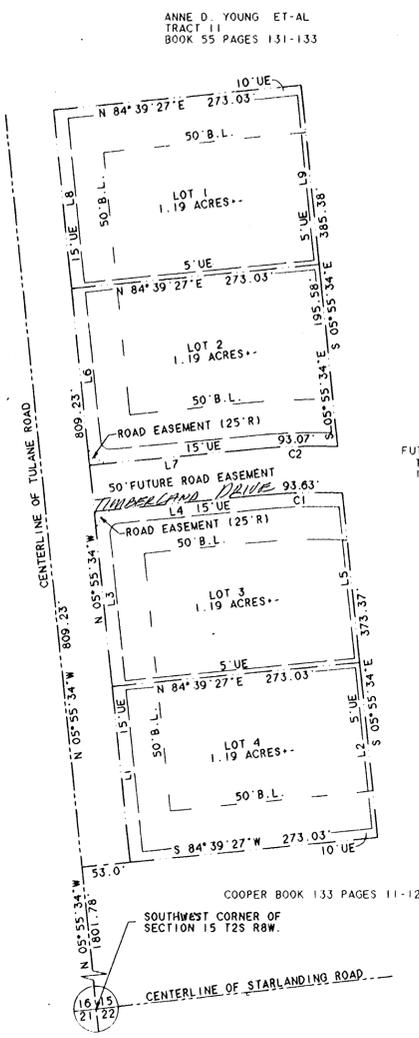
- NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES. NO BUILDING SHALL BE ERECTED, ALTERED OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE SINGLE FAMILY DWELLING AND A PRIVATE GARAGE FOR NOT MORE THAN THREE CARS AND SEPARATE DETACHED. HEREINAFTER REFERRED TO AS DETACHED BUILDINGS. INCIDENTAL TO SUCH USE.
- TWO OR MORE LOTS MAY BE COMBINED FOR USE AS ONE LOT. AND IN SUCH CASE THE INTERIOR LOT LINE MAY BE DISREGARDED IN SO FAR AS SIDE YARD REQUIREMENTS ARE CONCERNED. IN THE EVENT TWO OR MORE LOTS ARE COMBINED TO BE USED AS A SINGLE LOT UNDER ONE OWNERSHIP, NO PART OF THE COMBINED LOTS MAY BE SOLD OR CONVEYED WITHOUT APPROVAL AS MAY THEN BE REQUIRED BY THE DEVELOPER OR APPROPRIATE GOVERNING AUTHORITY.
- ALL DWELLINGS AND OTHER STRUCTURES CONSTRUCTED ON THE LOTS MUST BE IN COMPLIANCE WITH THE REQUIREMENTS OF THE DESOTO COUNTY PLANNING COMMISSION AND ITS SUCCESSORS. ADDITIONALLY THE REQUIREMENTS OF THE DEVELOPER OR HIS SUCCESSORS MUST BE MET. DETAILED BUILDING PLANS MUST BE SUBMITTED TO MIKE BARTON, DEVELOPER, IN DUPLICATE. IF APPROVED, THE APPROVAL SHALL BE NOTED ON THE FACE OF ONE SET, AND THE OTHER HELD ON FILE BY THE DEVELOPER. THE FINISHED BUILDING MUST BE THAT SHOWN ON THE ORIGINAL PLANS AND ANY CHANGES MUST BE APPROVED IN WRITING.
- THE DEVELOPER SHALL HAVE AUTHORITY IN APPROVING OR REJECTING BUILDING PLANS. THE DEVELOPER'S AUTHORITY SHALL INCLUDE BUT NOT BE LIMITED TO ARCHITECTURAL DESIGN, COMPATIBILITY WITH SURROUNDING HOUSES, LOCATION ON THE LOT AND PROPOSED CONSTRUCTION MATERIAL. ALL HOUSES MUST HAVE A MINIMUM OF 1800 SQUARE FEET OF HEATED SPACE EXCLUDING GARAGES, PORCHES, ETC. TWO STORY HOUSES MUST HAVE A MINIMUM OF 1200 SQUARE FEET ON THE GROUND FLOOR, EXCLUDING GARAGES, PORCHES, ETC. ALL HOUSES MUST HAVE A MINIMUM OF THREE SIDES COVERED IN BRICK, STONE, OR OTHER MATERIAL APPROVED BY THE DEVELOPER. ALL CONSTRUCTION SHALL BE OF NEW MATERIAL.
- ALL HOUSES MUST HAVE AN ATTACHED GARAGE THAT OPENS TO THE END OR BACK OF THE HOUSE UNLESS AN EXCEPTION IS APPROVED BY THE DEVELOPER.
- NO DETACHED BUILDINGS WILL BE CONSTRUCTED WITHOUT THE APPROVAL OF THE DESOTO COUNTY PLANNING COMMISSION AND APPROPRIATE PERMITS MUST BE OBTAINED PRIOR TO CONSTRUCTION. THESE BUILDINGS MUST ALSO MEET THE APPROVAL OF THE DEVELOPER WHO IN ADDITION TO DESOTO COUNTY HAS AUTHORITY ON DESIGN, CONSTRUCTION MATERIAL, AND SITE LOCATION.
- CONSTRUCTION MUST BE COMPLETED AND DRIVES PAVED WITHIN 12 MONTHS OF THE DATE THE BUILDING PERMIT IS ISSUED OR DELIVERY OF CONSTRUCTION MATERIAL TO SITE, WHICHEVER OCCURS FIRST. LANDSCAPING OF THE FRONT YARD MUST ALSO BE COMPLETED IN THIS 12 MONTH PERIOD.
- NO LOT SHALL BE MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH AND OTHER GARBAGE WASTE SHALL NOT BE KEPT, EXCEPT IN SANITARY CONTAINERS. ALL INCINERATORS OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION. ALSO, SOLD LOTS MUST BE KEPT MOWED AND NOT ALLOWED TO GROW UP WITH GRASS AND WEEDS. THE DEVELOPER, AT HIS DISCRETION, MAY HIRE THE WORK DONE AND BILL THE LOT OWNER. IF THE LOT OWNER DOES NOT PAY THE DEVELOPER WITHIN 30 DAYS, THE DEVELOPER SHALL HAVE THE RIGHT TO FILE A LIEN AGAINST THE PROPERTY TO RECOVER THE EXPENSE OF BRINGING THE LOT OWNER TO COMPLIANCE.
- NO STRUCTURE OF A TEMPORARY CHARACTER, BASEMENT, TENT, SHACK, GARAGE, BARN, MOBILE HOME OR OTHER DETACHED BUILDING SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY.
- FENCES IN THE FRONT YARD OF ANY LOT CAN BE NO MORE THAN 3 FEET HIGH AND MUST BE CONSTRUCTED OF WOOD, STONE, BRICK OR WROUGHT IRON. CORNER LOTS SHALL HAVE ONE FRONT YARD. THERE SHALL BE NO WIRE OR CHAIN LINK FENCES IN HIGH VISIBILITY AREAS AS DETERMINED AND CONTROLLED BY THE DEVELOPER.
- NO OBNOXIOUS OR OFFENSIVE ACTIVITIES SHALL BE CARRIED ON UPON ANY LOT NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE TO NEIGHBORS. NO BUSINESS OR TRADE OF A COMMERCIAL NATURE INVOLVING FABRICATION THAT WOULD DISRUPT NORMAL SUBURBAN LIFE OR CAUSE ENTRY OF COMMERCIAL VEHICLES INTO THE SUBDIVISION SHALL BE CARRIED ON UPON ANY LOT. ALL LOTS AND HOUSES ARE FOR RESIDENTIAL USE ONLY. HOME OFFICES AND COTTAGE INDUSTRIES NOT DEEMED COMMERCIAL ARE EXEMPT.
- NO COW, HORSE, GOAT, HOG OR SIMILAR ANIMAL OTHER THAN DOMESTIC PETS SHALL BE KEPT OR HARBORED ON ANY LOT. THERE SHALL BE A LIMIT OF THREE EXTERIOR DOMESTIC PETS PER LOT.
- NO VEHICLE OF ANY KIND SHALL BE KEPT IN THE SUBDIVISION UNLESS IT DISPLAYS A CURRENT LICENSE PLATE AND A CURRENT INSPECTION STICKER. TRACTORS USED FOR MAINTAINING PROPERTY ARE CONSIDERED EXEMPT. NO COMMERCIAL VEHICLE OF ANY KIND OVER ONE AND A HALF TONS MAY BE PARKED IN TIMBER OAKS SUBDIVISION. ALL MOTORIZED VEHICLES MUST BE PARKED ON PAVED SURFACES ONLY.
- THESE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING UPON ALL PARTIES AND PERSONS CLAIMING UNDER THEM FOR A PERIOD OF 5 YEARS. FROM THE DATE THESE COVENANTS ARE RECORDED. AFTER WHICH TIME SAID COVENANTS SHALL CONTINUE IN FORCE AND EFFECT UNTIL AN INSTRUMENT SIGNED BY 2/3 MAJORITY OF THEN OWNERS OF THE LOTS HAS BEEN RECORDED AGREEING TO CHANGE SAID COVENANTS IN THEIR ENTIRETY OR IN PART. EACH LOT SHALL HAVE ONE VOTE. AS LONG AS THE DEVELOPER, MIKE BARTON, OWNS MORE THAN 50% OF THE LOTS, THE DEVELOPER MAY AMEND THESE COVENANTS WITHOUT CONSENT OF THE OTHER LOT OWNERS.
- IN THE EVENT ANY RESTRICTIVE COVENANT OF TIMBER OAKS SUBDIVISION IS DECLARED BY THE COURTS TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THESE COVENANTS AS A WHOLE OR ANY PART THEREOF, OTHER THAN THE PART SO DECLARED TO BE INVALID.
- ENFORCEMENT OF COVENANTS SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY RESTRICTIVE COVENANT EITHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGE.
- IN ADDITION TO THE DEVELOPER, THE LOT OWNERS SHALL HAVE THE RIGHT TO ENFORCE THESE COVENANTS, AT EQUITY OR LAW TO RESTRAIN VIOLATION OR TO RECOVER DAMAGE.



DESOTO CO. HEALTH DEPT. WILL BE ABLE TO  
INSTALL SOME TYPE OF INDIVIDUAL ON SITE  
SEWER WATER DISPOSAL SYSTEM IN THIS  
SUBDIVISION.

- Exclusions**
- (1) Excessive grading will void this approval
  - (2) Trees and foliage need to be left on lot
  - (3) Water usage not to exceed 500 gal per day
  - (4) House location and size may have to be determined by The Health Department

<b>JONES-DAVIS &amp; ASSOCIATES INC.</b>			
CONSULTING ENGINEERS / LAND SURVEYORS 7089 302 INDUSTRIAL DRIVE, SUITE 2 SOUTHAVEN, MISSISSIPPI 38671 PH# (601) 349-2824 FAX# (601) 349-2980			
TIMBER OAKS SUBDIVISION LOCATED IN SECTION 15 TOWNSHIP 2 SOUTH RANGE 8 WEST DeSOTO COUNTY, MISSISSIPPI			
4 LOTS	4.76 ACRES	ZONED AR	
FIELD SURVEY:	7/5/95	COMPUTED:	AGD
CLASS "B" SURVEY		DRAWN:	WBB
			DRAWING NO. 1
SCALE: 1" = 100'	DATE: 05/29/96	FILE: T04TS	SHEET 1 OF 2



BEARINGS REFERENCED TO CENTERLINE OF TULANE ROAD PER HICKORY HOLLOW SUBDIVISION PLAT PLAT BOOK 13 PAGES 6-8.

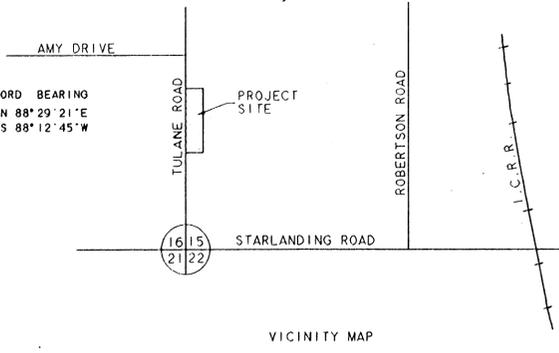
FUTURE DEVELOPMENT  
TIMBER OAKS S/D  
1ST ADDITION

- NOTES:
1. IRON PINS SET ON ALL LOT CORNERS.
  2. DRIVEWAY CULVERTS ARE THE RESPONSIBILITY OF THE INDIVIDUAL LOT OWNER AND NOT THE RESPONSIBILITY OF THE DEVELOPER OR DeSOTO COUNTY.
  3. PUBLIC WATER PROVIDED BY DAYS WATER ASSOCIATION
  4. NO PUBLIC SEWER AVAILABLE SINGLE LOT SYSTEMS REQUIRED.
  5. UTILITY EASEMENTS ARE PROVIDED AS FOLLOWS UNLESS OTHERWISE NOTED.  
FRONT LOT LINE - 15 FEET  
SIDE LOT LINE IF COMMON - 5 FEET  
REAR LOT LINE - 10 FEET
  6. MINIMUM BUILDING LINES ARE PROVIDED AS FOLLOWS UNLESS OTHERWISE NOTED.  
FRONT LOT LINE - 50 FEET  
SIDE LOT LINE IF COMMON - 15 FEET  
REAR LOT LINE - 50 FEET

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	7° 39' 49"	700.00'	93.63'	46.88'	93.56'	N 88° 29' 21" E
C 2	7° 06' 37"	750.00'	93.07'	46.60'	93.01'	S 88° 12' 45" W

LINE	BEARING	DISTANCE
L 1	N 05° 55' 34" W	189.81'
L 2	S 05° 55' 34" E	189.81'
L 3	N 05° 55' 34" W	189.81'
L 4	N 84° 39' 27" E	179.75'
L 5	S 05° 55' 34" E	183.56'
L 6	N 05° 55' 34" W	189.81'
L 7	S 84° 39' 27" W	180.25'
L 8	N 05° 55' 34" W	189.80'
L 9	S 05° 55' 34" E	189.80'



OWNERS CERTIFICATE  
LINDA K. BARTON  
MICHAEL D. BARTON  
HEREBY ADOPT THIS AS MY PLAN OF SUBDIVISION AND DEDICATE THE RIGHTS OF WAYS FOR THE ROADS AND UTILITY EASEMENTS TO THE PUBLIC FOREVER. WE ALSO CERTIFY THAT WE ARE THE OWNERS IN FEE SIMPLE OF THE PROPERTY SHOWN AND SAME IS NOT ENCUMBERED BY ANY TAXES THAT HAVE BECOME DUE AND PAYABLE. THIS THE 17 DAY OF JUNE 1996.

BY Michael D. Barton  
Linda K. Barton  
NOTARY'S CERTIFICATE



STATE OF MISSISSIPPI: COUNTY OF DeSOTO  
THIS DAY PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE  
Michael D. Barton  
Linda K. Barton

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 17 DAY OF June 1996  
NOTARY PUBLIC Thomson Jones MY COMMISSION EXPIRES NOVEMBER 1999

DeSOTO COUNTY PLANNING COMMISSION  
APPROVED BY THE DeSOTO COUNTY PLANNING COMMISSION ON THIS THE 30th DAY OF November 1996  
ATTEST Colvin Kachla SECRETARY [Signature] CHAIRMAN

DeSOTO COUNTY BOARD OF SUPERVISORS  
APPROVED BY THE BOARD OF SUPERVISORS THIS THE 10th DAY OF DECEMBER 1996  
W. E. Davis Clerk Engel O. Shack PRESIDENT  
CLERK FOR THE BOARD [Signature]

STATE OF MISSISSIPPI  
COUNTY OF DeSOTO  
I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON WAS FILED FOR RECORD IN MY OFFICE AT 2:45 O'CLOCK P.M. ON THE 6th DAY OF August 1996 AND WAS IMMEDIATELY ENTERED UPON THE PROPER INDEXES AND DULY RECORDED IN PLAT BOOK 54 PAGES 25

CHANCERY COURT CLERK W. E. Davis Chancery Clerk  
[Signature]

THIS IS TO CERTIFY THAT THIS PLAT WAS DRAWN FROM A GROUND SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION OF THE PHYSICAL FEATURES FOUND AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. ALSO ACCORDING TO FEMA MAP NO. 28033C0040 D DATED MAY 3, 1990 THIS AREA IS NOT LOCATED IN AN IDENTIFIED FLOOD HAZARD ZONE. CENSUS TRACT NO. 702

ARTHUR G. DAVIS  
RLS 2125  
PE 3144



**JONES-DAVIS & ASSOCIATES INC.**  
CONSULTING ENGINEERS / LAND SURVEYORS  
7080 302 INDUSTRIAL DRIVE SUITE 2  
SOUTHAVEN, MISSISSIPPI 38671  
PH: (601) 349-2024 FAX: (601) 349-2980

TIMBER OAKS SUBDIVISION  
LOCATED IN SECTION 15 TOWNSHIP 2 SOUTH RANGE 8 WEST  
DeSOTO COUNTY, MISSISSIPPI

4 LOTS 4.76 ACRES ZONED AR

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CLASS "B" SURVEY	DRAWN: WBB	1

SCALE: 1"=100' DATE: 05/29/96 FILE: T04LOT SHEET 2 OF 2