

## OAKBROOK CHASE

### PROTECTIVE COVENANTS AND RESTRICTIONS

1. All numbered lots in this subdivision shall be known as single family residences. No tract shall be re-subdivided into smaller tracts for additional residences.
2. No residence building having less than 2300 square feet of floor space for single-story and 2600 square feet for two-stories shall be erected on any tract in this subdivision, unless otherwise approved by developer.
3. All residences shall have an attached or enclosed garage, for not more than three (3) cars, either directly attached or by a connecting breezeway, and shall be of like design and material as the main residence. Dwellings not to exceed two (2) stories high.
4. No trailer, defense cabin, tent, or shack is permitted on this land, nor is any basement, garage or other outbuilding at any time to be used as a temporary or permanent residence.
5. No noxious or offensive trade shall be carried on this land, nor shall anything be done thereon which may be or become an annoyance to the neighborhood. No business is permitted.
6. No unused building material, junk, or rubbish shall be left exposed on any tract except during actual building operations.
7. No worn out or discarded automobiles, machinery or vehicles or parts thereof shall be stored on any tract and no portion thereof shall be used for automobile junk piles or the storage of any kind of junk or waste material.
8. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Any lot area designated for the natural flow of surface water shall at all times be kept free from any obstructions to the natural flow surface water, and any improvements made on or under easement by the property owner are at the risk of the property owner.
9. These covenants and restrictions are to run with the land and shall be binding on all parties and all persons claiming under until January 1, 2010, at which time said covenants shall be automatically extended for successive periods often (10) years. At any time these covenants may be amended by written consent of sixty (60) percent of the owners of tracts, each owner having one (1) vote for each separate tract owned by him.
10. Invalidation of any one of the covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.
11. No sign of any kind shall be displayed to the public view on any lot except one

professional sign of not more than one (1) square foot, one sign of not more than five (5) square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

12. No fence shall be erected any nearer the road than the building set-back line unless same shall be a hedge or shrub growth not to exceed three (3) feet in height. No garden shall be planted any nearer the road than the building set-back. All fences to be approved by developer.
13. The plat developer (Robert Arnold) or his representative reserves the right to review and approve all plans for square footage and outside elevations before constructions and must be reviewed and approved before permit is applied for at the City of Beavercreek.
14. Persons buying lots for investment or later construction must keep lot properly mowed and groomed.
15. Professional builders or sub contractors must be used in home construction. No do-it-yourself construction will be permitted.
16. No rear or side yard fence shall exceed 42" (inches) in height, all patio and privacy fences must be approved by the developer. No wire fences will be permitted. All tennis court and pool fencing must be approved by the developer.
17. New homes must have a light post and (electrical eye) light bought from developer to be set back from a curb a distance of twelve (12) feet from the street and near the driveway.
18. Each new home as constructed is required to have at least fifteen (15) trees and shrubs planted as landscaping.
19. Whenever possible, every effort must be made to have a side entrance to garage. This can be flexible, with developer's approval.
20. Minimal amounts of aluminum siding may be permitted, with the developer's approval.
21. Satellite TV dishes shall not be permitted in this subdivision, unless special permission from developer is obtained.
22. The within subdivision will be subject to the Declaration of Covenants, Conditions and Restrictions for Oakbrook Chase which is recorded in Official Record Volume 693, Page 898 Greene County, Ohio records and exhibits attached thereto and amendments thereof which among other things, provides the owner of any lot within the subdivision shall be a member of Oakbrook Chase Homeowner's Association, Inc.
23. Lot 31 is non-buildable lot and The City of Beavercreek to have access to said lot for emergency maintenance.

**Comment [cac1]:** Not sure what this means – but need to review and update the document

**Comment [cac2]:** I could not find a Lot 31 in the subdivision per Greene County's web site unless it is the one labeled "COMMO".