

FILED FOR RECORD
At 10:59 O'clock AM

JUN 20 1988

SUE HODGES
Clerk and Recorder
BENTON COUNTY, ARK

PROTECTIVE COVENANTS
OF
AIKEN POINT SUBDIVISION

JAMES E. AIKEN and ELLA FAYE AIKEN, Trustees, or their Successors in Trust U/D/T (JAMES AND ELLA AIKEN LIVING TRUST Dated August 3, 1987), herein "Developer," being the owners of all the property in Aiken Point Subdivision located in Benton County, Arkansas, and recorded in Plat Record 14 at Page 118, as amended at Plat Record at Page , with the Clerk and Recorder of Benton County, Arkansas, do hereby declare and establish the following Protective Covenants for all the property located in Aiken Point Subdivision, more particularly described as follows:

A part of the East Half of the NE $\frac{1}{4}$ of Section 35, Township 20 North, Range 29 West, Benton County, Arkansas, being described as follows: Beginning at the SE corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 35, the point of beginning; thence South 36° 34' 04" West 375.65 feet; thence South 36° 33' 37" West 223.39 feet; thence North 87° 07' 21" West 119.17 feet; thence North 86° 57' 43" West 70.81 feet; thence North 86° 47' 41" West 142.99 feet; thence North 15° 10' 10" West 401.16 feet; thence North 15° 08' 59" West 118.34 feet; thence North 47° 49' 02" East 704.91 feet; thence North 03° 15' 22" East 165.15 feet; thence North 65° 56' 28" East 370.44 feet; thence South 03° 06' 02" West 828.26 feet to the point of beginning, containing 15.1 acres, more or less, subject to all easements of record.

1. No lot shall be used for other than single-family residential purposes.
2. No residences shall be constructed on the lots with a fully enclosed first floor area of less than 1200 square feet of heated floor space exclusive of carports, garage and open porches.
3. No mobile homes, trailers, tents or temporary buildings shall be allowed nor erected on any of the lots; provided, however, that lot owners may park a travel trailer during the construction of a single-family residence. Said travel trailer shall not be parked on nor lived in more than one year during the building period.

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AVOCA, AR 72711

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4. No animals, livestock or poultry of any kind shall be raised, bred, or kept on any lot except for dogs, cats or other household pets provided that they are not kept or maintained for any commercial purposes and are not a nuisance to the neighborhood.

5. No sign of any kind shall be exhibited in any way on any of the lots; provided, however, that a temporary sign of not more than five (5) square feet for advertising the property for sale or rent is permitted.

6. No oil drilling, oil development operations, oil refining, quarry or mining operations of any kind shall be permitted upon any of the lots.

7. No lot shall be used or maintained as a dumping ground for rubbish, trash or salvage. Although not limited to inoperable vehicles, this prohibition specifically forbids the parking either of temporary or permanent inoperable vehicles of any kind or description. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean, sanitary condition at all times.

8. Easements for installation and maintenance of utilities are reserved as shown on the recorded plat. Within these easements, no structures, planting or other materials shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of the utilities.

9. The private road as designated on the plat shall be maintained by all the property owners of Aiken Point Subdivision with the cost to be shared prorata based upon the size of each individual lot.

10. No individual water supply or sewage disposal system shall be permitted on any lot unless such system is located, constructed and equipped in accordance with requirements of the state and or county public health authority, and approval of such systems as installed shall be obtained in writing from such authority.

