

RESTRICTIONS AS TO BUILDING AND USE

EASTVIEW ESTATES NEW BADEN, ILLINOIS

TO WIT:

1. No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached dwelling not exceed two stories in height and a two, or more private garage. Single car garages are not permitted on houses.
2. No building, shall be erected, placed or altered on any lot until the construction plans and specifications, and a plan showing the location of the structures have been approved by R.W.K. Building and Remodeling Co., Inc and stamped with the said Company's seal as to quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building set back line unless similarly approved. No fence shall exceed 8 feet in height and in no case shall any fences extend beyond the front portion of the building structure. **NO** fencing of the type known as cyclone chain link or woven wire shall be permitted.
3. R.W.K. approval or disapproval is required in these covenants shall be in writing. In the event R.W.K. or its designated representative fails to approve or disapprove within 30 days after plans and specification have been submitted to it, approval will not be required and the related covenants shall be deemed to have been fully complied with.
4. No dwelling shall be permitted on any lot, having a ground floor area of the main structure exclusive of one-story open porches, and garages, of less than 1,300 square feet, for a one-story dwelling, nor less than 900 square feet for the main level of a one and one-half, or two story, or multi-level dwelling, and not less than 1,700 square feet of living area. The exterior walls of all residential structures erected or placed on any said residential lot shall be constructed brick, brick veneer, stone, natural wood, stucco, masonite, dryvit, vinyl, or an approved siding, or a combination thereof. The street side(s) of the building shall be constructed of not less than 50% masonry. However, this brick or stone requirement may be waived if the entire exterior walls are improved with dryvit or stucco.
5. No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum setback lines shown on the recorded plat. No building shall be located nearer than 10 feet to an interior lot line, nor closer than 20 feet to an existing building on any adjacent lot or real property owned by another person or legal entity. For the purpose of this covenant, eaves and steps and open porches shall not be considered a part of a building, provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot.
6. Each lot owner shall be obligated to keep his or her respective lot in a clean and neat appearance, whether or not it shall be improved, and shall regularly keep it mowed and free of brush, trash, rubbish, etc. So that it does not become a nuisance to the neighborhood.
7. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. No fence, structure, tree or any other object shall be maintained on the easement area that shall prevent access to utilities within the easement.
8. No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may be or may be or may become an annoyance or nuisance to the neighborhood.

9. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out buildings shall be used on any lot at any time as a residence either temporarily or permanently. Recreational vehicle, boats and trailers cannot be stored unless inside of a garage.
10. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than two square feet, two signs of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sale period.
11. No oil drilling development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designated for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.
12. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot except that dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose.
13. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other 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.
14. All residential structures shall be completed within eight months from the start of construction or date of first materials delivery.
15. Lot owners shall provide off street parking for each vehicle that is kept in the subdivision and shall use street parking only for temporary visitor parking directly in front of owner's lot.
16. The character and design of the garages shall conform to the main structure.
17. All driveways shall be constructed of permanent surface material of concrete or brick paving.
18. The storage of household effects, tools, machinery, empty or filled containers, boxes or bags, trash or other items that shall in appearance detract from the aesthetic vales of the property shall be placed and stored to be concealed from view. Trash for collection may be placed at the street right of way line on regular collection days for a period not to exceed twelve hours prior to pickup. Garbage for disposal shall be kept in sanitary containers and placed at proper locations for pickup. Garbage and trash containers must be removed as soon as possible after pickup service.
19. No roof attached exterior antennas shall be permitted. Further no lot, lots or structure in said subdivision shall contain a citizen band antenna, ham radio antenna or tower antenna. No receiver shall be attached to any part of the house structure or erected or constructed on any portion of a lot within the subdivision.
20. Each lot in the subdivision shall have a sidewalk across the front of said lot. Corner lots shall have sidewalks on the front and side of the house. Sidewalks shall start 36" from backside of curb and 48" wide and 4" deep. Specifications on slope of sidewalk and control joint spacing should be specified by the city of New Baden.
21. No piece or part of any plated building lot in the subdivision may be sold, except if said piece or part is sold to an adjoining owner, in which case it becomes an integral part of that lot and subject to the same restrictive covenants herein stated.
22. These covenants are to run with the land and shall be binding on all parties and persons claiming under then for a period of fifteen years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years unless an

instrument signed by a majority of then owners of lots has been recorded agreeing to change said covenants in whole or in part.

23. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain violation or to recover damages.
24. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions, which shall remain in full force and effect.
25. Unattached storage buildings will be permitted, but must be built with same type of material used on house. Storage sheds may be no larger than 400 square feet and must comply to Village of New Baden set back lines. NO prefabricated or other metal storage buildings will be permitted. All storage sheds must be placed on a concrete slab or foundation.
26. ALL duplexes shall have a minimum of 1,000 square feet for each unit on a single level type building and a minimum of a one car garage for each unit.
27. One and a half and two story duplexes shall have a minimum of 750 square feet on the first floor and a total square foot of 1,350 for each unit plus a minimum of a one car enclosed garage. ALL duplexes must have 80% brick on the front building facing the street(s) one and a half and two story duplexes must have 80% brick on the first level of the building facing the street(s).

Submitted By:
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