

RETURN TO
PIONEER TITLE AGENCY, INC.
513 GEORGIA AVENUE
CRATTANOGGA, TN.

BOOK 4633 PAGE 287

Book 4633

Restrictive Covenants For
Ely Trace Subdivision

02/14/96 MISC 16.00 **16.00 6

Whereas, Glasscock Developments, Inc., a Tennessee Corporation, is the owner in fee simple of Ely Trace Subdivision, as shown by plat of record in Plat Book 51, Page 282, in the Register's Office of Hamilton County, Tennessee; and

Whereas, it is the intent and desire to promote and develop an attractive and desirable residential area;

Now, therefore, in consideration of the premises and for the protection of future owners, their successors and assigns, Glasscock Developments, Inc., does hereby impose upon the lots of said subdivision to constitute covenants running with the land, whether specifically referred to in subsequent conveyances or not, the following covenants and restrictive conditions:

28307, 28308, 28309

1. No lot shall be used except for residential purposes.
2. No dwelling shall be permitted on any lot having less than 1100 square feet, exclusive of porches.
3. There shall be a 25 feet minimum front, rear, and side line building set back distance.
4. No exposed concrete block nor any asbestos material of any kind shall be used in any part of the building. All front foundations shall have masonry finish, and all sides and rear shall be stucco or masonry.
5. No temporary structures, trailers, garage, or similar structures, shall be used on any lot at any time as a residence either temporarily or permanently. No wrecked or immovable vehicles shall be kept or allowed to remain on any lot.
6. No noxious or offensive activity, trade, business or commercial operation shall be carried on upon any lot nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood. No animals except normal household pets are to be kept, and they shall not be raised commercially.
7. 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 recover damages.
8. Invalidity 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.

PREPARED BY WILLIAM D. JONES
ATTORNEY AT LAW
513 GEORGIA AVENUE
CRATTANOGGA, TN.

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9. Any fences erected on any lot in the subdivision must not be located nearer to the front line than the line of the rear elevation of the residence, extended in a direct line to the side lines.

10. All lots are subject to the easements, conditions and obligations for utilities, drainage and access as shown and imposed on the plat of Ely Trace Subdivision, which is of record in Plat Book 51, Page 282, in the Register's Office of Hamilton County, Tennessee, and as shown on Exhibit "A" attached hereto.

11. The following perpetual, non-exclusive easements, as located upon the recorded plat of Ely Trace Subdivision and as shown on Exhibit "A", are hereby imposed and are made appurtenant to the applicable lots:

- a) Joint Driveway easement for ingress and egress to and from Lots 1, 2 and 3, and Ely Road;
- b) Ten (10) foot water line easement for Lots 1, 2 and 3;
- c) Yard and Maintenance easement for Lots 1 and 2; and
- d) Ten (10) foot underground utility easement to Lot 2

12. The Owners of Lots 1, 2 and 3 shall equally share the responsibility and cost (1/3 per lot) of any maintenance of the concrete drive located within the driveway easement area.

13. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 25 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 the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

14. Glasscock Developments, Inc., reserves unto itself, its successors and assigns, the right to permit and grant minor variances from the restrictive covenants herein set forth of such nature, as in opinion of its officers, do not materially affect the purposes sought to be attained.

IN WITNESS WHEREOF, GLASSCOCK DEVELOPMENTS, INC., a Tennessee Corporation, has caused this instrument to be executed by its duly authorized officer this the 12th day of February, 1996.

GLASSCOCK DEVELOPMENTS, INC., a
Tennessee Corporation

BY: Bony K. Glasscock

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STATE OF TENNESSEE
COUNTY OF HAMILTON

Before me, Kiwana Morrow of the state and county aforesaid, personally appeared BARRY K. GLASSCOCK with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath, acknowledged himself to be president (or other officer) authorized to execute the instrument of the GLASSCOCK DEVELOPMENTS, INC., the within named bargainer, a corporation, and that he as such Vice-President executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself as Vice-President

WITNESS my hand and seal, at office in Chattanooga Tennessee, this 12th day of February 1996.

Kiwana Morrow
Notary Public

My Commission Expires:

KIWANA MORROW
NOTARY PUBLIC
TENNESSEE STATE AT LARGE
MY COMMISSION EXPIRES 07-10-1999

311411
PAMELA RUSST
REGISTER
HAMILTON COUNTY
STATE OF TENNESSEE

86 FEB 14 PM 2 57
BY: L. Lee
DEPUTY
RECPT. # 22719

Exhibit "A"

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Book of Town
 Center of the
 Plan Book
 2-1-1905
 PAMELA BRYANT, REGISTERED
 Dep

APPROVED FOR RECORDING
 JEROME L. HARRIS
 7-24-90
 CHASTANCOCK/HARRISON CO.
 REGIONAL PLANNING COMMISSION
 7-24-90
 Pamela Bryant

CORRECTIVE PLAT
ELY TRACE
 LOTS 1, 2, 3 & 4

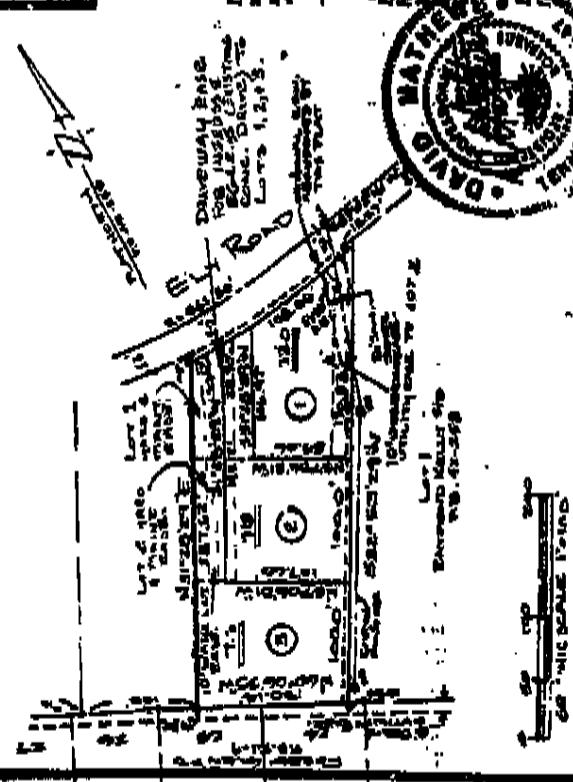
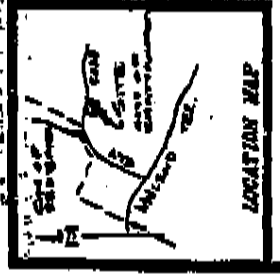
CHASTANCOCK, HARRISON CO., TENNESSEE
 I, the undersigned, do hereby adopt this plat as my plan of
 subdivision and certify that I am the owner of the property
 shown herein. In Fee Simple. I hereby declare that the enclosed
 plat is a true and correct copy of the original plat on file in the
 office of the Register of Deeds for the County of Harrison, Tennessee.

P. J. Harris
 P. J. Harris, Owner
 1000 Ely Trace
 Chattanooga, Tennessee 37415
 I hereby certify that I have surveyed the property shown
 herein and that the survey is correct to the best of my
 knowledge and belief and that it is a correct survey
 and that the title of the plat is correct and that the
 plat is a true and correct copy of the original plat on file in the
 office of the Register of Deeds for the County of Harrison, Tennessee.

David Mathers
 DAVID MATHERS, SURVEYOR P.L.S. #747 Date: 6-30-90
 1750 Beaman Road
 Decatur, Tennessee 37324



GENERAL NOTES:
 1. Areas subdivided by this plat.
 2. Record printing to p. 1.
 3. JOB NO: 4616-576
 4. Water Survey: Harrison University District
 5. This plat has been designed according to the
 subdivision design standards of the
 City of Chattanooga. Subdivision Regulations
 6. Survey was made on 7/24/90.
 7. All areas are shown as unimproved.
 8. All areas are shown as unimproved.
 9. All areas are shown as unimproved.
 10. All areas are shown as unimproved.
 11. Proposed plat: TO BE SUBMITTED TO THE
 PLANNING COMMISSION ON 7/24/90



OK TO RECORD
 PLANNING COMMISSION

COMB