

DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS:

That the VALLEY TITLE & TRUST, an Arizona corporation, as Trustee, being the owner of the following described property:

All of the lots in SHOW LOW PINES UNIT FIVE, according to the plat thereof of record in the office of the County Recorder of Apache County, Arizona, in Book 2 of Townsite Maps, Page 14 thereof:

and desiring to establish the nature of the use and enjoyment thereof does hereby declare said premises subject to the following expressed conditions and stipulations as to the use and enjoyment thereof, to-wit:

1. No dwelling house having a ground floor area of less than 320 square feet exclusive of open porches, pergolas, or attached garage, if any, shall be erected, permitted or maintained on any of the residential lots in SHOW LOW PINES UNIT FIVE.
2. No building shall be erected on ~~any~~^{any} residential lot in SHOW LOW PINES UNIT FIVE, the front walls of which are closer than Fifty (50) feet to the front property line, nor shall the side walls of any such building be nearer than Twenty-five (25) feet to the side property line.
3. All buildings must conform with and be in keeping with other structures within the general area and neighborhood and all buildings shall be constructed of new materials, provided however that used brick and stone may be used in said construction.
4. All building must be completed within One Hundred Twenty (120) days from the start of construction.
5. No tents shall be permitted on any lot in SHOW LOW PINES UNIT FIVE, provided however, that for recreational camping, tents may be erected, but not to exceed a Thirty (30) day period.
6. All structures in SHOW LOW PINES UNIT FIVE shall have roofs that are finished in colors that conform with other structures in the general area, but in no event shall the roof be white or uncovered black felt paper.

Deeds of conveyance for said property or any portion thereof may contain the above covenants, conditions, stipulations and restrictions by referring to this document, but whether or not such reference is made in such deeds, each and all of these covenants, conditions, stipulations and restrictions shall be binding on the respective grantees.

The foregoing restrictions and covenants run with the land and shall be binding on all parties and persons claiming under them until January 1, 1980, at which time said covenants and restrictions shall be automatically extended for successive periods of ten (10) years each, unless by a vote of a majority of the then owners of lots in said SHOW LOW PINES UNIT FIVE is agreed to change the said covenants and restrictions in whole or in part.

If there shall be a violation or threatened or attempted violation of any of said covenants, conditions, stipulations or restrictions, it shall be lawful for any person or persons owning any real property situated in SHOW LOW PINES UNIT FIVE to prosecute proceedings at law or in equity against all persons violating or attempting to or threatening to violate any such covenants, restrictions, conditions or stipulations and either to prevent him or them from so doing or to recover damages or other dues for such violations.

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SHOW LOW PINES UNIT FIVE

Invalidation of any one or more of these covenants, conditions, stipulations and restrictions shall in nowise affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, the VALLEY TITLE & TRUST has hereunto caused its corporate name to be signed, its corporate seal affixed, and the same to be attested by the signatures of its duly authorized officers, this the 5th day of FEBRUARY, 1962.

VALLEY TITLE & TRUST, TRUSTEE

by: _____
Vice-President

Attest: Ralph C. Busch
Assistant Treasurer

STATE OF ARIZONA)
County of Maricopa) ss.

On this, the 5th day of February, 1962, before me, the undersigned Notary Public, personally appeared CHARLES M. BREWER and RALPH C. BUSCH, who acknowledged themselves to be the Vice-President and Assistant Treasurer, respectively, of the VALLEY TITLE & TRUST, a corporation, and that they as such Vice-President and Assistant Treasurer respectively, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by themselves as Vice-President and Assistant Treasurer, respectively.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Colene D. Thayer
Notary Public

My commission expires: 1-5-64

STATE OF ARIZONA, County of Apache; ss.

FEE NO. 25260

I do hereby certify that the within instrument was filed and recorded at request of Valley Title & Trust
Date February 6, 1962 Time 10:45 A.M. Docket 50 Official Records,
Page 589-590 Records of Apache County, Arizona.

WITNESS my hand and official seal the day and year first above written.

Virgie Heap
VIRGIE HEAP, County Recorder