

RESTRICTIONS, COVENANTS AND CONDITIONS
Beaverhouse Lake Subdivision
Plat 73-17
Palmer Recording District

Jack D. Gwaltney and Sylvia L. Gwaltney, fee owners of the following described real property located in the Palmer Recording District, State of Alaska, same being the real property now duly platted as Plat No. 73-17, hereby make the following declarations as to limitations, restrictions, and uses to which the lots constituting such subdivision may be put, and hereby specify that such declarations shall constitute covenants to run with all the land, as provided by law, and shall be binding on all parties and all persons claiming under them, and for the benefit of and limitations on all future owners in such subdivision, this declaration of restrictions being designed for the purpose of keeping the subdivision desirable, uniform, and suitable in use as specified herein. The purpose of these restrictions is to insure the use of the property for attractive residential and recreational purposes only, to prevent nuisances, to prevent the impairment of the attractiveness of the property, and to maintain the desired tone of the community, and thereby to secure to each site owner the full benefit and enjoyment of his property, with no greater restriction on the free and undisturbed use of his site than is necessary to insure the same advantages to the other site owners.

1. Restriction Against Pollution of Water

In the interest of public health and sanitation, and so that the subdivision and all other land in the same locality may be benefitted by a decrease in the hazards of pollution and by the protection of water supplies, recreation, wild life, and other public uses thereof, no use if permitted that would result in the pollution of any lake or waterway that flows through or is adjacent to such property by refuse, sewage, or other material that might tend to pollute the waters of any such waterways or lake or otherwise impair the ecological balance of the surrounding lands.

2. Restriction Against Excavation

No excavation for stone, gravel, or earth shall be made on the lots except for walls, basements, or cellars of structures.

3. Restriction Against all Manufacturing or Commercial Enterprises

No manufacturing or commercial enterprise or enterprises of any kind for profit shall be maintained on, in front of, or in connection with the property hereby conveyed, nor shall such property in any way be used for other than strictly residential or recreational purposes.

4. Building Line Restrictions

No house, appurtenance, or outbuilding shall be less than 35 feet from the roadside of any lot, nor less than 20 feet from any other line of any lot, except that the lake setback is 100 feet.

5. Restriction on Number of Residences Per Lot

No more than one residence may be built on any one lot.

6. Privilege of Use Along Shoreline of Beaverhouse Lake as Easement

The right and privilege to frequent, use, and enjoy Beaverhouse Lake, for private recreational purposes, shall be an easement as further set out herein attached to each and every one of the lots, and passing as appurtenant thereto. The right and privilege to frequent, use, and enjoy the property herein conveyed shall be had, held, and enjoyed in the manner aforesaid by the owners of such lots, as well as the person or persons from time to time owning the same, and the respective families occupying the same and their guests. For this purpose, all said persons may utilize 15 foot easement along the lake front lot lines of those lots in Block 1. Said use is restricted to use by foot only with no vehicles of any kind permitted.

7. Use of Beaverhouse Lake

No motorized boat, except those of less than fifteen (15) horsepower, shall be permitted on Beaverhouse Lake.

8. Trees

All lots shall retain such natural trees as shall preserve the wooded character of the subdivision. A tree barrier of at least 10 feet, if current existing, shall be preserved on all lot lines with road frontage and on all lines that are common to other lots. This restriction does not apply to the removal of dead, dying, or scrub trees, to the thinning of tree cover, to the removal of trees to enhance a view or for construction of structures.

9. Fences

Chain link and barbed wire fences are prohibited.

10. Violation of Covenants

If owner, his heirs, executors, or assigns, hereafter owning any of said lots, shall infringe or attempt to infringe,

or omit to perform any of the covenants, conditions, or restrictions herein contained relating to said lots or to any other premises herein described, or to the use and improvement of the same, it shall be lawful for the owners of the lots, or for any of them, to prosecute any proceedings at law or in equity against the person or persons infringing or attempting to infringe, or omitting to perform such covenants, conditions, or restrictions.

DATED this 23 day of June, 1976.

Jack D. Gwaltney
JACK D. GWALTNEY

Sylvia L. Gwaltney
SYLVIA L. GWALTNEY

STATE OF ALASKA)
) ss.
THIRD DISTRICT)

THIS IS TO CERTIFY that on the 23 day of June, 1976, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn as such, personally appeared JACK D. GWALTNEY, to me known and known to be the identical individual named in and who executed the foregoing instrument and acknowledged to me that he signed the same freely and voluntarily for the uses and purposes therein stated.

WITNESS my hand and notarial seal the day and year last written.

STATE OF ALASKA)
) ss.
THIRD DISTRICT)

Robert B. Smith
Notary Public in and for Alaska
My Commission Expires: 8/30/77

THIS IS TO CERTIFY that on the 23 day of June, 1976, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn as such, personally appeared SYLVIA L. GWALTNEY, to me known and known to be the identical individual named in and who executed the foregoing instrument

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and acknowledged to me that she signed the same freely and voluntarily for the uses and purposes therein stated.

WITNESS my hand and notarial seal the day and year last written.



Robert D. Flint
Notary Public in and for Alaska
My Commission Expires: 8/30/77

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PALMER REG.
DISTRICT

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