

Proposed Restrictions and Covenants

Wilson Bluff Estates Subdivision

Turner, Maine
February 2006

The following deed restrictions and covenants shall apply to the transfer of the proposed lots within the Wilson Bluff Estates subdivision. These restrictions shall be included in all deeds of transfer recorded in the Androscoggin County Registry of Deeds.

1. None of the lots shall be further divided without approval of the Town of Turner Planning Board.
2. No trailer, motor home, truck camper or similar temporary device, shall be placed, maintained, or used on the premises as a permanent dwelling structure.
3. The minimum square footage of the living area of any dwelling to be erected on any lot shall be 1,200 square feet for a single story structure, or 1,600 square feet for a two-story structure. Non-living areas such as garages or sheds shall not be counted in arriving at the required square footage.
4. A garage shall be constructed with each residence built in the subdivision with minimum footprint dimensions of 20 feet by 20 feet. Four bay garage maximum.
5. Residences shall be restricted to businesses with only one company vehicle, and no employees. Residence may also be used for rental as a residence.
6. All homes shall be required to install underground utilities including but not limited to electricity and telephone.
7. No outside clotheslines shall be permitted that is visible from the road or other homes.
8. No livestock or poultry of any kind shall be kept or raised on any lot. Cats shall be permitted. Dogs shall be permitted if leashed or otherwise restrained at all times. Barking dogs shall be kept inside to avoid adverse impacts to other residences. No breeding or kennels for sale of cats or dogs.
9. Trash and garbage or other waste shall be kept in concealed covered sanitary containers.

10. The exterior walls of all principle and accessory structures shall be suitably finished with a covering of clapboards, wood, stone, brick, vinyl, masonry or similar finishing material, excluding tarred paper, tarred felt, or similar materials, within one year of the start of building construction. The grounds must be graded and seeded within one year from the start of construction.
11. No unregistered motor vehicles shall be permitted to be exposed on any lot.
12. Storage of all recreational vehicles, boats, trailers and snowmobiles must be stored so they are out of view from the street as much as possible. Registered RV's may be parked beside or to the rear of the residence or garage to conceal as much as possible.
13. Satellite dishes shall be no larger than 18 inches, and shall be discreetly located on the lot.
14. All construction activities, including the sighting of buildings, sewage disposal systems, and water supplies shall be conducted in accordance with all applicable local, state, and federal laws, codes, ordinances and regulations.
15. In order to enforce these covenants, and to collect fees for road maintenance in the event the Town of Turner does not accept the road, a Homeowners Association shall be formed. The Homeowners Association shall consist of 8 shares, or one share per lot in the subdivision. Each lot owner shall be required to join the Association, with one share allotted for each lot owned.

The association shall be run in accordance with a set of Bylaws describing the duties and powers of the Association.
16. Building heights shall be no greater than 35 feet, measured from the highest point of ground adjacent to the building foundation.
17. All driveways shall be paved. Paving may be asphalt, concrete, brick or other suitable materials approved by the developer within one year.
18. Lots 1,2,3,6,7,8 may access the lake using the walking trail only. No motorized vehicles will be permitted to use the walking trail. Shared access will be kept from clutter and trash. Respect the privilege, and other lot owner's use, or the association may vote to refuse access to anyone abusing the privilege.
19. The Restricted Buffer Area is and shall forever be held, transferred, sold, conveyed, occupied and maintained subject to the conditions and restrictions set forth herein. The Restrictions shall run with the

Restricted Buffer Area and shall be binding on all parties having any right, title or interest in and to the Restricted Buffer Area, or any portion thereof, and their heirs, personal representatives, successors, and assigns. Any present or future owner or occupant of the Restricted Buffer Area or any portion thereof, by the acceptance of a deed of conveyance of all or part of the Covenant Area or an instrument conveying any interest therein, whether or not the deed or instrument shall so express, shall be deemed to have accepted the Restricted Buffer Area subject to the Restrictions and shall agree to be bound by, to comply with and to be subject to each and every one of the Restrictions hereinafter set forth.

Restrictions on Restricted Buffer Area

1. Unless the owner of the Restricted Buffer Area, or any successors or assigns, obtains the prior written approval of the Town of Turner, the Restricted Buffer Area must remain undeveloped in perpetuity. To maintain the ability of the Restricted Buffer Area to filter and absorb storm water, and to maintain compliance with the Town of Turner and the permit issued hereunder to the Declarant, the use of the Restricted Buffer Area is hereinafter limited as follows.

a. No soil, loam, peat, sand, gravel, concrete, rock or other mineral substance, refuse, trash, vehicle bodies or parts, rubbish, debris, junk waste, pollutants or other fill material may be placed, stored or dumped on the Restricted Buffer Area, nor may the topography of the area be altered or manipulated in any way (excepting driveway construction and associated grading);

b. Any removal of trees or other vegetation within the Restricted Buffer Area must be limited to the following:

(1) No purposefully cleared openings (other than driveway construction and associated grading requirements) may be created and an evenly distributed stand of trees and other vegetation must be maintained. An "evenly distributed stand of trees and other vegetation" is defined as maintaining a minimum rating score of 24 points in any 50 foot by 50 foot square (2500 square feet) area, as determined by the following rating scheme:

<u>Diameter of tree at 4½ feet</u>	<u>Points</u>
<u>Above ground level</u>	
2 - 4 inches	1
4 - 8 inches	2
8-12 inches	4
>12 inches	8

Where existing trees and other vegetation result in a rating score less than 24 points, no trees may be cut or sprayed with biocides except for the normal maintenance of dead, windblown or damaged

trees and for pruning of tree branches below a height of 12 feet provided two thirds of the tree's canopy is maintained;

(2) No undergrowth, ground cover vegetation, leaf litter, organic duff layer or mineral soil may be disturbed except that one winding path, that is no wider than six feet and that does not provide a downhill channel for runoff, is allowed through the area;

c. No building, sign, fence, utility pole, or other temporary or permanent structure (excepting driveway construction and associated grading) may be constructed, placed or permitted to remain on the Restricted Buffer Area;

d. No trucks, cars, dirt bikes, ATVs, bulldozers, backhoes, or other motorized vehicles or mechanical equipment may be permitted on the Restricted Buffer Area (excepting driveway construction and associated grading);

e. Any level spreader directing flow to the Restricted Buffer Area must be regularly inspected and adequately maintained to preserve the function of the level spreader.

Any activity on or use of the Restricted Buffer Area inconsistent with the purpose of these Restrictions is prohibited. Any future alterations or changes in use of the Restricted Buffer Area must receive prior approval in writing from the Town of Turner. The Town of Turner may approve such alterations and changes in use if such alterations and uses do not impede the storm water control and treatment capability of the Restricted Buffer Area or if adequate and appropriate alternative means of storm water control and treatment are provided.

Enforcement

2. The Town of Turner may enforce any of the Restrictions set forth in Section 1 above.

Binding Effect

3. The restrictions set forth herein shall be binding on any present or future owner of the Restricted Buffer Area. If the Restricted Buffer Area is at any time owned by more than one owner, each owner shall be bound by the foregoing restrictions to the extent that any of the Restricted Buffer Area is included within such owner's property.

Amendment

4. Any provision contained in this Declaration may be amended or revoked only by the recording of a written instrument or instruments specifying the amendment

or the revocation signed by the owner or owners of the Restricted Buffer Area and by the Town of Turner.

Effective Provisions of Declaration

5. Each provision of this Declaration, and any agreement, promise, covenant and undertaking to comply with each provision of this Declaration, shall be deemed a land use restriction running with the land as a burden and upon the title to the Restricted Buffer Area.

Severability

6. Invalidity or unenforceability of any provision of this Declaration in whole or in part shall not affect the validity or enforceability of any other provision or any valid and enforceable part of a provision of this Declaration.

Governing Law

7. This Declaration shall be governed by and interpreted in accordance with the laws of the State of Maine.

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