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STEWART TITLE & TRUST OF PHOENIX

9-11-73

DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS:

That STEWART TITLE & TRUST OF PHOENIX, an Arizona corporation, as Trustee, hereinafter referred to as Declarant, being the owner of all the following described premises, situated within the County of Maricopa, State of Arizona, to-wit:

Lots One (1) through Nine (9), Seventy-seven (77) through Eighty-six (86), and TRACTS Eighty-seven (87) through Ninety-two (92), and Lot Ninety-three (93), APOLLO ESTATES UNIT IV, according to the plat of record in the office of the Maricopa County Recorder, in Book 165 of Maps, page 29.

WHEREAS, said Declarant is about to convey parcels of said real property shown on said Map and desires to subject the same to certain restrictions, conditions, covenants and agreements as hereinafter set forth in furtherance of a general plan for the improvement of said tract;

NOW, THEREFORE, the undersigned owner of the hereinabove described property hereby declares that said property is held and shall be conveyed subject to restrictions, conditions, covenants, charges and agreements set forth in this Declaration, to-wit:

1. LAND USE AND BUILDING TYPE: 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 single-family dwelling not to exceed one story in height and a private garage with the approval of the Architectural Committee. No business, trade, or manufacturing of any nature or description shall be carried on or transacted on any portion of said property nor shall any part of said premises be used as a hospital or sanitarium or other place for hire for the care of entertainment of persons suffering from any disease or disability whatsoever.

2. ARCHITECTURAL CONTROL: 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 structure have been approved by the Architectural Control Committee 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.

3. SIZE: The floor area of the dwelling, exclusive of porches, garages, carport and patio, shall be not less than 2000 square feet. No prefabricated building or other structure of any nature whatsoever, permanent or temporary, shall be moved or placed upon, or assembled or otherwise maintained on any lot, provided, however, that a temporary office, trailer office, tool shed, lumber shed and/or sales office may be maintained upon any lot or lots by any building contractor for the purpose of erecting and selling dwellings on any lot or lots, but such temporary structures shall be removed at completion of construction or selling of dwelling, whichever is later.

4. BUILDING LOCATIONS: No building shall be located on any lot nearer to the front line than thirty (30) feet, no building shall be located nearer than seven (7) feet to any interior lot line, nor closer than ten (10) feet to a side lot line adjacent to a street, except that side yards for detached garages and other permitted accessory buildings located in the rear one-half of the lot need only conform to the requirements of the City of Phoenix.

