

INDENTURE OF PROTECTIVE COVENANTS
FOR
SEASIDE TERRACE SUBDIVISION

PLAT # 82-101

Located in S½ Sec. 33 T1N R13W S.M.
Lying West of the Sterling Highway
Recorded in Homer Recording District
Third Judicial District, State of Alaska

The undersigned are the sole owners of the above described property, and for the benefit and protection of future property owners thereof and the property values therein do place on and against the said property the following protective covenants, conditions and restrictions regarding the use and improvement thereof:

1. AREA OF APPLICATION

The residential area covenants hereinafter contained shall apply in their entirety to all of the lots in the above mentioned subdivision with the exception of commercial use of Lot 18 only as lodge facilities.

2. EFFECTIVE DATE

All covenants and conditions herein contained shall be effective immediately and concurrently with the filing and recording hereof.

3. CONSTRUCTION

It being the intention and purpose of the covenant to assure that all dwellings shall be of a quality of workmanship and materials. No structure of a temporary character, tent, shack, garage, barn or other out-building shall be used on any lot as a residence permanently. Motorhomes and trailers properly erected on a gravel pad will be permitted on a seasonal basis only. No structures with tarp paper exteriors will be permitted.

4. ANIMALS

All pets shall be restrained by either a fence or leash and no owner shall have or keep more than 2 domestic animals or pets above the age of 6 months or shall any owner be permitted to run a commercial kennel or stable.

5. NUISANCES

No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

6. OIL, GAS, MINERALS AND GRAVEL

No owner shall be permitted to sell, lease or convey the surface rights and the rights to five hundred feet thereunder of their respective properties for the purposes of oil, gas or mineral exploration without the written consent of at least two-thirds of the property owners in the subdivision. No gravel shall be removed for any purposes.

7. GARBAGE AND WRECKED CARS

There will be no garbage pits or dumps on any lot. There will be no wrecked or junk vehicles placed on any lot. Trash, garbage and other waste shall be kept in sanitary containers.

8. TERMS

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 of recording, after which time said covenants shall be automatically extended for successive periods of 10 years.

*X Copy
need for
index cards then
file w/ plat*

9. ENFORCEMENT

Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant. Such actions may be brought by any lot owner or other holder of a real interest.

10. SEVERABILITY

Invalidation of any of these covenants by judgment or court order shall in no wise effect any of the other provisions which shall remain in full force and effect.

11. COVENANT CHANGES

Two thirds of the property owners may change covenants at any time with proper notice.

ATTEST:

Know all men by these present that we, the undersigned in witness thereof have hereunto set our hands and seals this 22nd day of September, 1982.

By [Signature]
Ken Battley

By [Signature]
Pat Davis

By [Signature]
Jeff Pasco

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

This is to certify on this 22 day of September, 1982, before the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Ken Battley to me known to be the individual named and who executed the foregoing INDENTURE OF PROTECTIVE COVENANTS and acknowledged to me that he signed and sealed the same freely and voluntarily for the uses and purposes therein specified.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this 22 day of September, 1982.

[Signature]
Notary Public in and for Alaska
My Commission expires: 3/2/86



STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

This is to certify on this 22 day of September, 1982, before the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Pat Davis to me known to be the individual named and who executed the foregoing INDENTURE OF PROTECTIVE COVENANTS and acknowledged to me that he signed and sealed the same freely and voluntarily for the uses and purposes therein specified.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this 22 day of September, 1982.

Richard O. Bernard
Notary Public in and for Alaska
My Commission expires: 3/10/86



STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

This is to certify on this 22 day of September, 1982, before the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Jeff Pasco to me known to be the individual named and who executed the foregoing INDENTURE OF PROTECTIVE COVENANTS and acknowledged to me that he signed and sealed the same freely and voluntarily for the uses and purposes therein specified.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this 22 day of September, 1982.

Richard O. Bernard
Notary Public in and for Alaska
My Commission expires: 3/10/86



83-2177
14-4

RECORDED - ~~FILED~~
HOMER RECORDING
DISTRICT

MAY 24 3 52 PM '83
REQUESTED BY Ken Patten
ADDRESS 629 L St. Ste 204
Anch. Ak 99501