

PROTECTIVE COVENANTS FOR
RESIDENTS OF NANCY CREEK ESTATES

That the following covenants are placed upon the above described property and that the whole thereof has protective covenants which shall run with the land in accordance with the terms and conditions of the same hereinafter stated, namely,

1. LAND USE AND BUILDING TYPE

A residential lot shall accommodate only one single family residence, plus buildings accessory to the residential use.

2. BUILDING LOCATION

Building Line Setback: No structure shall be placed nearer than twenty five feet from the right of way line of any public right of way.

No structure shall be placed nearer than ten feet from any side lot line.

Structures shall not be closer than 75 feet from the normal high water mark of a water course or body of water in a shoreland.

3. NUISANCES

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

4. GARBAGE AND REFUSE DISPOSAL

No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste shall not be kept except in sanitary containers.

5. SEWAGE DISPOSAL

No individual sewage system shall be permitted on any lot unless such system is designed, located and constructed in accordance with the requirements, standards and recommendations of the Alaska Department of Health or other local public health authorities having jurisdiction. Approval of such system as installed shall be obtained from such authority.

6. TREES

No owner shall be permitted to completely clear a lot on which standing trees of size and beauty exist. Space may be cleared to provide for construction, and trees may be thinned so long as maximum natural beauty and esthetic value of trees is retained.

7. TERM

These covenants shall 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 these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

8. ENFORCEMENT

Enforcement shall be by proceedings at law in equity against any person or persons violating or attempting to violate any covenants either to restrain violating or to recover damages.

9. SEVERABILITY

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

10. RE-SUBDIVIDING

No future re-subdividing of lots allowed except TR1 and TR2 which is allowed future re-subdividing.

11. An additional five feet of clearing permit is also granted to utility companies adjacent to all utility easements for initial utility construction. A ten foot utility placement is granted adjacent to the property line in the dedicated road right of way.

Recorded April 9, 1974

Notes on the plat of NANCY CREEK ESTATES SUBDIVISION, as follows:

1. No individual water supply system or sewage disposal system shall be permitted on any lot unless such system is located, constructed and equipped in accordance with the requirements, standards and recommendations of the Alaska Department of Environmental Conservation. Approval of such system as installed shall be obtained from said authority.
2. No structure may be placed upon any lot which shall have an elevation of the lowest floor, including basement, of less than three feet above the highest known water elevation.
3. An additional 5 foot clearing permit is also granted to utility companies adjacent to all utility easements for initial utility construction.