

RESTRICTIVE COVENANTS AND SIMILAR DOCUMENTS ARE PRIVATE IN SCOPE AND NOT SUBJECT TO GOVERNMENTAL APPROVAL OR ENFORCEMENT

A. ALL LOTS IN THE TRACT SHALL BE KNOWN AND DESCRIBED AS RESIDENTIAL LOTS. NO STRUCTURE SHALL BE ERRECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY RESIDENTIAL BUILDING LOT OTHER THAN SINGLE FAMILY DWELLINGS, NOT TO EXCEED TWO STORIES IN HEIGHT, AND PRIVATE GARAGE FOR NOT MORE THAN THREE CARS AND ONE STORAGE ROOM.

B. NO TRAILER, BASEMENT TENT, SHACK, BARN OR OTHER OUT-BUILDING ERRECTED IN THE TRACT SHALL AT ANY TIME BE USED AS A RESIDENCE, TEMPORARILY OR PERMANENTLY, AND NOR SHALL ANY STRUCTURE OF A TEMPORARY CHARACTER BE USED AS A RESIDENCE.

C. NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

D. THERE IS A PERPETUAL EASEMENT AS SHOWN ON THE RECORDED PLAN OF SUBDIVISION RESERVED FOR UTILITY INSTALLATION AND MAINTENANCE AND DRAINAGE.

E. NO BUILDING SHALL BE PERMITTED ON ANY LOT WHERE THE HEATED AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF OPEN PORCHES AND GARAGES, IS LESS THAN 1,400 SQUARE FEET FOR A ONE-STORY DWELLING OR LESS THAN 1,600 SQUARE FEET FOR A ONE AND ONE HALF OR TWO-STORY DWELLING ALL STRUCTURES SHALL BE PREDOMINANTLY BRICK ALL STRUCTURES TO HAVE A MINIMUM THREE SIDES BRICK TO 8' HIGH.

F. THESE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 2028, AT WHICH TIME SAID COVENANTS SHALL AUTOMATICALLY BE EXTENDED FOR SUCCESSIVE PERIODS OF (10) YEARS UNLESS BY A VOTE OF THE THEN OWNERS OF THE LOTS IT IS AGREED TO CHANGE SAID COVENANTS IN WHOLE OR IN PART. THE UNDERSIGNED OWNER RESERVES UNTO ITSELF THE RIGHT TO IMPOSE, ADDITIONAL OR SEPARATE SETBACK RESTRICTIONS AT THE TIME OF SALE OF ANY OF THE LOTS SOLD IN THIS SUBDIVISION WHICH SAID RESTRICTION MAY NOT BE UNIFORM BUT MAY DIFFER AS TO DIFFERENT LOTS AND FURTHER RESERVES THE RIGHT TO AMEND THESE RESTRICTIONS WITHOUT THE APPROVAL OF THE OWNERS OF THE LOTS WITHIN THE SUBDIVISION.

G. IF THE PARTIES HERETO OR ANY OF THEM OR THEIR HEIRS OF ASSIGNS VIOLATE OR ATTEMPT TO VIOLATE ANY OF THE COVENANTS, HEREIN IT SHALL BE LAWFUL FOR ANY OTHER PERSON OR PERSONS OWNING ANY REAL PROPERTY IN SAID DEVELOPMENT OF SUBDIVISION PROSECUTE ANY PROCEEDING AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE SUCH COVENANT TO PREVENT HIM OR THEM FROM SO DOING OR RECOVER DAMAGES OR OTHER DUES FOR SUCH VIOLATION.

H. INVALIDATION OF ANY OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT

I. FENCES OF CORNER LOTS SHALL EXTEND NO CLOSER TO THE STREET THAN THE BUILDING THEREON, AND IN NO EVENT SHALL FENCES BE BUILT ALONG THE STREET. ALL FENCES TO BE WOOD, BRICK OR ORNAMENTAL IRON. NO SATELLITE DISHES, RADIO TOWER OR ANTENNA SHALL BE ALLOWED IN VIEW FROM THE STREET.

J. NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY OF SAID LOTS, EXCEPT THAT DOGS, CATS OR OTHER HOUSEHOLD PETS MAY BE KEPT PROVIDED THAT THEY ARE NOT KEPT BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.

K. NO RECREATIONAL VEHICLES OR COMMERCIAL VEHICLES INCLUDING, BUT NOT LIMITED TO BOATS, BOAT TRAILERS, HOUSE TRAILERS, CAMPING TRAILERS, MOTORCYCLES, PICK-UP TRUCKS OR SIMILAR TYPE ITEMS SHALL BE KEPT OTHER THAN IN THE GARAGE OR OTHERWISE SCREENED FROM THE VIEW OF NEIGHBORS OR THE STREET.

OWNERS CERTIFICATE

We, _____, the undersigned owner of the property shown hereon, hereby adopt this as my plan of subdivision and dedicate the streets, easements, right of way access as shown and all utilities to the town of Oakland forever, and certify that I am the owner in fee simple, duly authorized so to act, and that said property is unencumbered by any taxes that have become due and payable.

Date

**STATE OF TENNESSEE
COUNTY OF FAYETTE**

Before me, the undersigned, a notary public in and for the state and county aforesaid duly commissioned and qualified, personally appeared _____, with whom I am personally acquainted and who, upon oath, acknowledged himself to be the _____ of _____, and he as such owner executed the foregoing instrument for the purpose therein contained by signing his name as owner.

In witness whereof, I hereunto set out hand and affix my seal this _____ day of _____, 20__.

Notary Public _____
My Commission Expires: _____

CERTIFICATE OF APPROVAL OF THE FAYETTE COUNTY PROPERTY ASSESSOR

I hereby certify that I am in receipt of a copy of this Subdivision plat as required by "Fayette County Private Acts of 1972, Charter NO.284."

Fayette County _____ Date
Property Assessor

CERTIFICATE OF ACCURACY OF ENGINEERING AND DESIGN

I, Henry L. Porter, PE, a Professional Civil Engineer, do hereby certify that the plans and engineering drawings governing the construction of this subdivision are true and conform to the requirements set forth in the Subdivision Regulations and Specifications of Town of Oakland.

Henry L. Porter, Civil Engineer _____ Date
Tennessee Certificate No. 11340



CERTIFICATE OF SURVEY

I, William David Porter, do hereby certify that I am a Registered Land Surveyor and that I have surveyed the lands embraced within plat or map designated as the Sommerset Subdivision Phase 5, a subdivision lying within the corporate limits of the town of Oakland, Tennessee; said plat or map is a true and correct plat or map of the lands embraced therein showing the subdivision therefore in accordance with the subdivision regulations of the Town of Oakland, Tennessee; I further certify that the survey of the lands embraced within said plat or map have been correctly monumented in accordance with the Subdivision Regulations of the Town of Oakland, Tennessee.

In witness where of, I, William D. Porter, Registered Land Surveyor, hereunto set out my hand and affix my seal _____, 20__.

William D. Porter, R.L.S. _____ Date
Tennessee Certificate No. 1664



CERTIFICATE OF APPROVAL OF WATER, SEWER AND DRAINAGE SYSTEMS PLANS

I, _____, do hereby certify that I have reviewed the water, sewer and drainage system plans for this subdivision and certify that they conform substantially to the requirements of the Subdivision Regulations and Technical Specifications of the Town of Oakland and are hereby approved

Date Town Engineer
Director of Public Works

CERTIFICATE OF APPROVAL OF STREETS AND UTILITIES

I hereby certify: (1) that the streets, utilities and drainage facilities have been installed in a manner that conforms substantially to the Town specifications, or (2) that a surety instrument has been provided to the planning commission which would assure completion of all required improvements for the subdivision, in case of default.

Date Town Engineer or
Director of Public Works

CERTIFICATE OF RECEIPT OF APPROVED WATER AND SEWAGE SYSTEMS PLANS

I, _____, hereby certify that a set of construction plans regarding the water supply and/or sanitary sewers for this subdivision bearing the seal of the Tennessee Department of Environment and Conservation which indicates said plans meet the Department's requirements, have been received.

Date Town Engineer or
Director of Public Works

CERTIFICATE OF APPROVAL OF AVAILABILITY OF ELECTRICITY

I, _____, do hereby certify that I have reviewed the proposed subdivision and certify that electricity is available.

Date Authorized Electric Utility representative

CERTIFICATE OF APPROVAL OF AVAILABILITY OF NATURAL GAS

I, _____, do hereby certify that I have reviewed the proposed subdivision and certify that natural gas is available.

Date Authorized Gas Utility representative

PLANNING COMMISSION CERTIFICATE OF APPROVAL OF THE FINAL PLAT

I, _____, do hereby certify that the Town of Oakland's Planning Commission has approved this Final Plat of subdivision for recording.

Planning Commission Secretary, Date
Town of Oakland

**CONSTRUCTION PLAT
SOMMERSET SUBDIVISION
PHASE 5**

OAKLAND, TENNESSEE
THIS PROPERTY IS NOT LOCATED IN THE 100-YEAR FLOOD PLAIN
F.I.R.M. COMMUNITY No.470418 0285 C & DATE NOVEMBER 5, 2008

DEVELOPER: PFMT HOLDINGS, LLC
ENGINEER: W. H. PORTER CONSULTANTS, PLLC
6055 PRIMACY PARKWAY, SUITE 115
MEMPHIS, TENNESSEE 38119
(901) 363-9453

SCALE: 1" = 60' DATE: MARCH 04, 2019
33 LOTS 440496 SQ FT (10.11 ACRES)

ZONED: R-2SF RESIDENTIAL
TAX MAP: 87 PARCEL: 35.05
INSTR. # 17005711

