

RESTRICTIVE COVENANTS AND CONDITIONS

THESE COVENANTS OF RESTRICTION FOR WESTWIND ADDITION, FIRST UNIT, in Riley County, Kansas, made this 3rd day of January, 1968 by TOWN BUILDING AND INVESTMENT CO., INC., a Kansas corporation, being at this time the sole owners of the lots in said Addition which are being restricted; The said TOWN BUILDING AND INVESTMENT CO., INC. hereby affirm that all of the said lots in Westwind Addition, First Unit, excepting Lots 9-16 in Block 1, and Lots 14-17 in Block 2, shall hereafter be bound by the following restrictions herein contained and they do hereby covenant, bargain and agree, for themselves, their heirs and assigns, as follows:

1. LAND USE AND BUILDING TYPE: No lot shall be used except for residential purposes. No house nor garage nor other buildings may be moved onto any of said lots. Only single-family dwellings shall be permitted.
2. DWELLING SIZE: No dwelling shall be permitted on any lot which does not contain at least twelve hundred (1200) square feet of finished floor area, exclusive of the basement and garage, except two-story and split-level houses which must have a minimum of thirteen hundred (1300) square feet of finished floor area, exclusive of the basement and garage.
3. BUILDING LOCATION: No building, including appurtenances (porch, overhanging windows, etc.) shall be located on any lot nearer to the front line than the minimum building setback lines required by the Manhattan City building or zoning regulations. Side lot building lines shall conform to the Manhattan City building and zoning regulations.
4. TEMPORARY STRUCTURES: No structure of a temporary character, trailer, basement, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.
5. NUISANCES: No noxious or offensive 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.
6. CONSTRUCTION: All material used for the construction of the dwelling shall be new and construction must be completed within eight (8) months from commencement of said construction.
7. GARAGES: All dwellings shall have attached two-car garages adequate in size.
8. FENCES: No fence shall be constructed or cause to be constructed closer to the street than the back line of the dwelling.
9. CLOTHES POSTS: There shall be no installation of permanent-type clothes posts.
10. REFUSE: All refuse containers shall be located on the back fifteen (15) feet of the lot and shall be in an enclosure so as not to appear unsightly.
11. OUTBUILDINGS: One small outbuilding of no greater than 8'x10' shall be permitted in the rear.

STATE OF KANSAS }  
RILEY COUNTY } S.S.

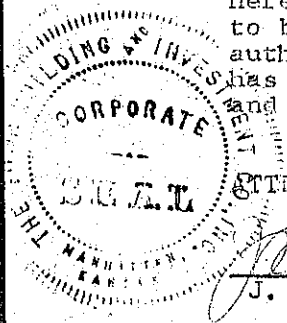
This instrument was filed for record on the  
8th day of Jan. A.D. 1968 at 11:10  
O'clock P.M. and duly recorded in Book  
327 at page 111  
By \_\_\_\_\_ Register of Deeds

12. APPROVAL: Building plans must be approved by Town Building and Investment Co., Inc., or their representatives.

13. PETS: No animals shall be placed, maintained or raised on said premises except two house pets.

14. These covenants shall run with the land and shall be binding upon all parties therein, their heirs, successors and assigns and all persons claiming under them, forever.

IN WITNESS WHEREOF: The said party of the first part has hereunto caused these Restrictive Covenants and Conditions to be signed on its behalf by its President, thereunto duly authorized so to do, and to be attested by its Secretary, and has caused its common seal to be hereunto affixed the day and year last above written.

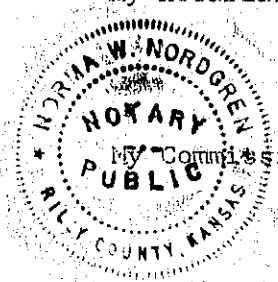


ATTEST:  
*J. Robert Wilson*  
J. Robert Wilson

TOWN BUILDING AND INVESTMENT COMPANY, INC.  
*T. J. Griffith*  
By T. J. Griffith, President

STATE OF KANSAS: COUNTY OF RILEY, SS: BE IT REMEMBERED, That on this 3rd day of January, 1968, before me, the undersigned, a Notary Public in and for the county and state aforesaid, same T. J. Griffith, President of Town Building and Investment Company, Inc., a Kansas Corporation, a corporation duly organized, incorporated and existing under and by virtue of the laws of Kansas, and J. Robert Wilson, Secretary of said Corporation, who are personally known to me to be such officers, and who are personally known to me to be the same persons who executed, as such officers, the within instrument of writing on behalf of said Corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my notarial seal the day and year last above mentioned.



*Norma W. Nordgren*  
Notary Public  
Norma W. Nordgren  
My Commission expires March 18, 1971.