
DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION made this 19th day of February, 2004

WHEREAS, The Jackson Economic Development Authority is owner of certain land located in the County of Jackson, State of Minnesota, described as follows:

See Exhibit A attached hereto and made a part hereof.

AND WHEREAS, it is the desire and the intent of the Jackson Economic Development Authority to sell the property described above and to impose beneficial protective restrictions under a general plan or scheme of improvement for the benefit of all the lots described herein, and the future owners of those lots;

AND WHEREAS, the following restrictions, conditions, and covenants are declared and agreed to be in furtherance of a plan for the purpose of enhancing and protecting the value, desirability, and attractiveness of the lots and enure to the benefit of all current and future owners of the above described lots.

NOW THEREFORE, it is declared as follows:

The Jackson Economic Development Authority, owner of Sunset View Subdivision, herein, adopts the following restrictive covenants which shall be effective as to the property described in attached Exhibit A. The purpose of these covenants is to maintain consistency of construction that is in harmony with the total subdivision including maintaining substantial uniformity of size, location, type and design in relation to existing dwellings and topography in the neighborhood an the subdivision:

1. POWERS OF THE APPROVING AUTHORITY (EDA)

The Approving Authority (EDA), through its appointed committee shall have both the duty and the exclusive power to enforce the Covenants, Conditions and Restrictions set forth herein. If necessary, said Approving Authority (EDA), through its committee, may bring appropriate court action in order to secure the enforcement of said Covenants, Conditions and Restrictions. In doing so, and if successful, said Approving Authority (EDA) shall be entitled to reasonable attorneys' fees and costs therein.

2. SINGLE FAMILY DWELLING RESTRICTIONS.

- a. Each lot and dwelling upon said lot shall be used solely for private residential purposes, including twin single homes.
- b. No mobile home, trailer, tent, basement home, or temporary structure of any nature shall be used as a residence on any lot. No haul-ons, including mechanical or utility cores, geodesic domes, earth homes, double wide mobile homes or the like may be placed in the Subdivision. Dwellings manufactured in component parts, (exposed structural members), and placed on the lot shall be permitted.
- c. All construction of single family dwellings, including twin single homes, and accessory structures and all modifications shall be new construction materials. All new construction must be built at a minimum to Uniform Building Code standards.
- d. The interior and exterior of all buildings or other structures, or additions thereto, must be completed within one (1) year from the date the buyer becomes the legal owner of said property, except where such completion would result in great hardship due to strikes, fires or national emergency. If not so completed, or construction ceases for a period of ninety (90) days without permission of the Approving Authority (EDA), the unfinished structure or unfinished portion thereof shall be deemed a nuisance and shall be removed at the cost of the Owner.
- e. Building lots purchased and not developed immediately, must be mowed and maintained (including weed control) on a regular basis. In the event of neglect, the lot will be maintained and mowed by the City of Jackson with the cost of these services billed back to the lot owner.
- f. All structures must contain a foundation bearing down below the frost line.

- g. Each lot must contain one (1) private residential home or twin home only. An additional lot may not be purchased and used for a garage, storage area, or open space.
- h. No single family dwelling shall be erected (excluding basements, porches, garages, patios, decks, and other exterior storage areas), of not less than 1,200 sq. ft. of gross living floor area.
- i. No single family dwelling shall be more than two (2) stories in height, except with prior written permission of the Approving Authority (EDA.)
- j. No single family dwelling shall have a roof with less than a 4:12 pitch.
- k. Within ninety (90) days after final completion of the dwelling, the Owner must have minimal landscaping completed, weather permitting, said minimal landscaping to include seeding or sodding all open areas.
- l. Each owner shall maintain the exterior of the dwelling, accessory buildings, and all other structures, in good condition and shall maintain lawns and landscaping, walks and driveways, in good condition, and shall repair as the effects of damage or deterioration become apparent.
- m. All single family dwellings shall have an attached garage of at least 480 sq. ft. with a minimum dimension of 20 ft. on the entrance side.
- n. All completed residential structures must contain a paved, brick, or asphalt driveway running from the garage door to the access street. All properties must contain a walk-way running from the front door to the garage door or driveway, which must be in place within ninety (90) days of occupancy.
- o. For those purchasing more than one lot for development, a development agreement must be approved regarding the schedule for construction of each lot.

All City Ordinances apply, including housing and lot related regulations pertaining to the following:

- Weed control
- Exterior maintenance
- Dogs and dog houses/kennels
- Parked vehicle regulations
- Signs
- Accessory buildings
- Fences

