

COVENANTS AND RESTRICTIONS  
Larkspur Subdivisions

A. COVENANTS

(1) All lots in the tract platted shall be known and designated as residential lots, and no structure shall be erected on any lot other than one detached single family dwelling and a one or two car garage, provided, however, that servant's quarters may be erected above the garage, but never may be rented as apartments.

(2) No lot in this subdivision shall be subdivided.

(3) No dwelling of less than 1,600 square feet (1,400 square feet in subdivisions 1, 2 and 3), exclusive of porches garages, shall be permitted on any lot in this tract and all plans for houses to be constructed on any lot shall be approved by the developer, or his assigns, before construction shall be commenced upon the same.

B. RESTRICTIONS

NOTE: The following is a composite listing of all restrictions recorded for Larkspur Subdivisions. Because this is a composite, each restriction for a subdivision may vary slightly and, therefore, is imprecise. For your particular need, consult the Virginia Beach Clerk of the Circuit Court.

(1) All lots in the tract platted shall be known and designated as residential lots, and no structure shall be erected on any lot other than one detached single family dwelling and a one or two car garage, provided however, that servant's quarters may be erected above the garage but never shall they be rented as apartments.

(2) No lot in this subdivision shall be re-subdivided.

(3) No business of any kind or description shall be conducted on the said property by any purchaser, tenant or successor in title and this is to be construed also to provide against the operation of boarding houses, rooming houses and tourist homes.

(4) All buildings constructed on any lot in this subdivision shall have an exterior construction of brick or brick veneer, except that variations of exterior may be approved by the developer upon the submission to it of plans and specifications, and should the developer fail to approve or disapprove any such variation within 30 days from the date the request for such variation is made and such plans and specifications submitted to the developer, the variation requested shall be deemed to have been approved. Under no circumstances shall any building be permitted on any of said lots with an exterior construction using asbestos shingles and no building with a flat roof shall be permitted on said property.

(5) No buildings shall be erected on any lot nearer than 30 (40 feet in subdivision 1, except 25 feet for lots 7 through 11 and lots 20 through 24) to the street line on which it fronts and not nearer than 10 feet to any side line. This line restriction shall not apply to garage located on the rear one-fourth of the lot except that on corner lots no structure shall be permitted nearer than 20 feet to the street side of the line. Steps are not to be included in these measurements.

## COVENANTS AND RESTRICTIONS

(6) No trailer, tent, shack, garage, barn or other buildings, except an apartment over a garage in conjunction with the residence erected on a site in this tract shall at anytime be used as residence, temporarily or permanently, nor shall any residence of a temporary character be permitted nor shall any structure be moved into any lot unless it meets with the approval of the developers, and it shall conform to and be in harmony with the existing structure in the tract.

(7) No dwelling of less than 1,600 square feet (1,400 square feet in subdivisions 1, 2 and 3) exclusive of porches and garages shall be permitted on any lot in this tract and all plans for houses to be constructed on any lot shall be approved by the developers, or their assigns before construction shall be commenced upon the same.

(8) A perpetual easement is reserved over the rear five feet of each lot for utility installation and maintenance.

(9) The developer reserves to itself title to the lee in the streets shown on the said plat and also reserves the right and power to erect, put down and maintain gas, water, telephone, sewers, pipes, electrical wires and poles and fixtures and other utilities along, over, above and under the five foot easement reserved along the rear of all lots and along all streets together with the right of ingress and egress over all lots in the said strip reserved herein, it being the intention of the developer, to dedicate only a right-of-way for public easements over, under and therein.

(10) No animal, fowl or swine shall be permitted upon any lot except as household pets.

(11) No fence shall be allowed on any lot in this subdivision unless the same shall have been approved by the developer or the assigns and no outside stairway shall be permitted to the second floor.

(12) No signs, sign boards or advertising posters are to be permitted except signs or notices which may offer the property for rent or sale and those are not be exceed two feet in length and one and one-half feet in height.

(13) These covenants and restrictions are to run with the land and shall be binding on all the parties and all persons claimed under them until April 1980, at which time the covenants and restrictions shall be automatically extended for successive periods of ten years, unless terminated or altered by writing, signed by a majority of the then lot owners and admitted to record.

(14) If the parties hereto or any of their assigns or heirs shall violate or attempt to violate any of the covenants and restrictions herein set out, it shall be lawful for any person or persons owning any lots in said development of subdivision to prosecute any proceedings at law or equity against the person or persons violating or attempting to violate any such covenants or restrictions and either to prevent him or them from so doing or to recover damages or other dues for such violation.

(15) Invalidation of any one of these covenants by judgement or court order shall in no way affect any of the other restrictions or other provisions which remain in effect and full force.

(16) The developer reserves the right to waive or release any or all of these restriction as to any lot or lots affected by same by an instrument in writing duly recorded.