

Restrictions on Real Estate for Indian Wells

14. The GREATER CONSTRUCTION CORP. intends to develop on the lots subject to these Restrictions a "Zero Lot Line" community, which means, in part, that rather than placing a dwelling in the middle of a lot so that such dwelling would have two side yards of roughly equal size, the dwelling is located along one side of the lot so that such dwelling have one large side yard and one small yard. It is the intention of THE GREATER CONSTRUCTION CORP. to cause a majority of the dwelling which are to be constructed on the lots subject to these Restrictions to be located approximately two (2) feet from one of the side lot lines of the lot on which such dwelling (herein called the "Dwelling") is located on a lot (herein called the "Subservient Lot") approximately two (2) feet from one of the side lot lines (herein called the "zero lot line"), the owner of the lot adjacent to such zero lot line (herein called the "Adjacent Lot") shall have, and is hereby granted, an easement over and across the approximately two (2) foot wide area of the Subservient Lot which is along and adjacent to the entire Zero Lot Line from the front to the rear of the Subservient Lot and between the Zero Lot Line and a line parallel to and approximately two (2) feet in distance from the Zero Lot Line which shall run along the edge of the Dwelling and shall extend from the front and rear lot lines, respectively (herein called the "Easement Area"). The nature of the easement granted and dedicated in this subparagraph shall be that the owner of the Adjacent Lot shall have the exclusive right to use the Easement Area for side yard purposes, which shall include, but not be limited to maintaining the landscaping thereon and maintaining a wooden fence therein of no more than five (5) feet in height, and fencing in the Easement Area for side yard use in connection with the Adjacent Lot to the exclusion of the owner of the Subservient Lot; provided that no such fencing shall be in violation of Paragraph 11 of these Restrictions, and provided further that the owner of the Subservient Lot shall have the right, at reasonable times and upon reasonable notice to the owner of the Adjacent Lot, to enter into the Easement area for the purpose of maintaining and making repairs to the Dwelling on the Subservient Lot, and the owner of the Subservient Lot shall have the right to have the overhang from the roof of the Dwelling on such lot to intrude onto Easement Area. The exterior sidewall of the Dwelling on a Subservient Lot which faces upon the Easement Area, shall not be painted or repainted any different color than the color used in the original construction of the Dwelling, without the consent of the owner of the Adjacent Lot. The Easement granted herein shall not exist on those lots where the Dwelling constructed thereon is not located within approximately two (2) feet of one of the side lines of such lot.

***The above was copied from the Deed Restrictions is not intended to be a legal opinion. It is for information purposes only. For the complete wording see the Restrictions on Real Estate for Indian Wells.**