

JAMES VALLEY SUBDIVISION SHALL BE SUBJECT TO AND ENCUMBERED BY THE FOLLOWING RESTRICTIVE AND PROTECTIVE COVENANTS; AND THAT ALL CONVEYANCES OF SAID PROPERTY, OR ANY PART THEREOF, SHALL BE SUBJECT TO SAID COVENANTS WHETHER OR NOT THE SAME ARE EMBODIED IN THE CONVEYANCES OR OTHER INSTRUMENTS AFFECTING TITLE THERETO.

ALL TRACTS ARE SUBJECT TO THE FOLLOWING RESTRICTIONS:

1. Setbacks: All buildings shall be set back a minimum of 100 feet from property lines.
2. No building zone - there shall be no buildings within 250 feet of either side of right-of-way edge on North Valley Road, James Valley Road and Mason Ranch Road.
3. There shall be no subdivision of any Tract for a period of five (5) years from date of purchase of each such Tract. Further, no Tract shall be divided or subdivided into tracts of less than 40 Acres in size. No "For Sale" signs shall be erected on any property.
4. All fences or walls used as fences shall be constructed in a workmanlike manner and shall be constructed with good quality materials. No pallets, tires, sheet metal, tin or other materials deemed "not normal" will be allowed. There shall be no gates or cattle guards constructed across any roads used as common access, except as installed by Grace Family, L.L.C.. Any fences along roads used as common access must be set at the edge of easement right-of-way.
5. Fire damage: In the event that any improvement upon any tract in James Valley Subdivision is destroyed wholly or partially by fire or other casualty, the damaged portion of the structure and associated debris shall be removed from the tract by the owner of the tract, or the owner's designee within 90 days after the fire.
6. There shall be no offensive use of ATV or recreational vehicles within James Valley Subdivision and such vehicles shall not be operated on the common access roads. ATV and recreational vehicles may be used only on the user's property.
7. Junk: No item that would be classified as junk by an ordinary person shall be permitted in James Valley Subdivision, unless it is completely concealed from view. Junk includes, but is not limited to, inoperable vehicles, parts from motor vehicles and equipment, industrial parts and supplies, scrap metal, pipe, old containers, salvage materials, refrigerators, freezers and building materials not part of an ongoing project on the lot.
8. No singlewide mobile home, temporary or permanent, shall be permitted anywhere within James Valley Subdivision. Doublewide mobile homes placed upon a permanent foundation shall be allowed only on Tracts 19, 20, 21 and 22. All other homes shall be built in compliance with the Uniform Building Code. This does not prohibit the use of any other structure or vehicle for recreational purposes, provided such structure or vehicle is not used as a permanent residence.
9. All homes constructed on a lot shall have and maintain water conserving plumbing fixtures, including, but not limited to, low flush toilets, low flow showerheads and aerator type or flow restricted faucets.
10. All common access roads may be used by the owners of tracts in James Valley Subdivision for the "quiet sports", i.e.: walking, horseback riding, and bicycling. In addition, the future owners of tracts in the adjacent Tierra Verde Ranchettes Subdivision now owned by Declarant (the "Tierra Verde Tracts"), may use the most direct route along Old Cabin Road, North Valley Road, James Valley Road and Mason Ranch Road for vehicular access to their Tierra Verde Tracts. Each party benefited by these easements shall use the roads for these purposes at his or her own risk. Any party using a road for a recreational purpose