

7-13-53

LIBER 1806 FOLIO 253

Recorded June 17th, 1953-at-12:41 P.M.

THIS DECLARATION made this ^{3rd} day of June, A.D. 1953, by ALFRED L. BENNETT and LILLIAN S. BENNETT, HIS WIFE, and ELLIS P. BLOCK and MOLLIE D. BLOCK, HIS WIFE, as the owners of lots in Blocks 19, 22, 23, 24, 25 and 26, as shown on a certain plat of "Rock Creek Hills", Montgomery County, Maryland, recorded in Plat Book No. 45, plat 3425, one of the Land Records for said Montgomery County, WITNESSETH THAT:

WHEREAS, for the purpose of: (FIRST) protecting purchasers of said lots from depreciation of the value thereof and to assure them of uniformity in the development of said property, and (SECOND) facilitating the sale by said parties hereto, their heirs and assigns, of said land by reason of their ability to so assure purchasers of such uniformity and protection against depreciation, and (THIRD) to make certain that said restrictions shall apply to all of said lots to the mutual advantage of said parties hereto and all those who may in the future claim title through them; and

WHEREAS, the covenants and restrictions hereinafter set forth have been duly adopted after careful consideration by said parties hereto as those to be imposed by this instrument, ~~and the same have been printed on and made a part of forms for contracts of sale of lots to be used by them and their heirs;~~

W.C.B.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, That the above-named parties hereto do hereby establish and impose upon all of said lots the following protective restrictions and covenants to be observed and enforced by them, as well as by all purchasers of said lots, to wit:-

- 1- No nuisance, advertising sign, noxious, dangerous or offensive thing shall be permitted, erected, or maintained on said lots, nor shall any hogs, cattle, livestock or fowls be kept thereon.
- 2- Said lot or lots shall be used exclusively for detached private dwelling house purposes; and no part of said lots or land, nor any building which may be erected thereon, shall be used for any trade, business, manufacturing, mercantile purposes, or the manufacture or sale of alcoholic beverages.
- 3- No apartment house, or houses in rows, or semi-detached houses, or houses for the occupancy of more than one (1) family (servants of owner

excepted), shall be erected or maintained upon said lots, or either of them.

4- No line fences or walls of any kind shall be erected or maintained on said lots, or either of them, except growing hedges, or such fences of an ornamental character as may be approved by either Ellis P. Block or Alfred L. Bennett.

5- No dwelling house, garage, building or structure of any kind or character, and no alteration of any such building or structure shall be constructed or altered on said lots, or either of them, unless and until complete plans and specifications therefor, showing the cost, type and size thereof, materials to be used, and location of the building on the lot, shall first be submitted to and approved by either Ellis P. Block or Alfred L. Bennett.

6- No resubdivision of said lots, or either of them, shall be made or permitted by any subsequent owner thereof without written permission first had and obtained from either Ellis P. Block or Alfred L. Bennett.

7- The herein enumerated protective covenants shall apply only to said lots in the above-mentioned subdivision and shall run with the land until the first day of January, 1960, in any event; and continuously thereafter, unless and until any proposed change shall have been approved in writing by the owners of the legal title to all the land or lots on both sides of the street within the block in which is located the property, the use of which is sought to be altered by said proposed change.

8- The restrictions herein set forth shall run with said land and bind the present owners, their heirs and assigns, and all parties claiming by, through or under them, and all such owners, their heirs and assigns, shall comply with and observe said restrictions as to the use of said land and the construction of improvements thereon, but no restriction herein set forth shall be personally binding on any corporation, person or persons, excepting in respect of breaches committed during its, his or their seisen of or title to said land.

9- In order to exercise the authority herein reserved to Ellis P. Block and Alfred L. Bennett, and to give the consents provided for herein, it is understood and agreed that the said Ellis P. Block and Alfred L. Bennett, or the survivor, his heirs and assigns, may hereafter, at their discretion, file an appropriate notice in the office of the Recorder of Deeds of Montgomery County, Maryland, naming and designating one or more persons, or successors in title, in their place and stead to give the consent provided for in the foregoing covenants, and such subsequent party or parties shall have the same legal rights with respect to such covenants as were possessed by the said Ellis P. Block and Alfred L. Bennett, prior to the filing of such notice of substitution of authority.

IN TESTIMONY WHEREOF the parties hereto have hereunto affixed their

hands and seals on the day and year first hereinbefore mentioned.

Witness:

Kathryn N. Berg
KATHRYN N. BERG
as to all

Alfred L. Bennett (SEAL)
Alfred L. Bennett

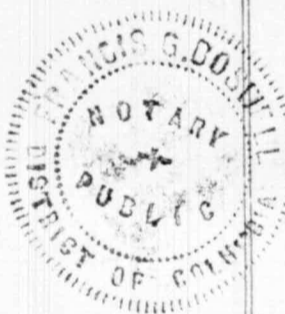
Lillian S. Bennett (SEAL)
Lillian S. Bennett

Ellis P. Block (SEAL)
Ellis P. Block

Mollie D. Block (SEAL)
Mollie D. Block

DISTRICT OF)
COLUMBIA) SS:

I HEREBY CERTIFY that on this 4th day of June, 1953, before the subscriber, a Notary Public in and for THE DISTRICT OF COLUMBIA personally appeared in said DISTRICT, ALFRED L. BENNETT and LILLIAN S. BENNETT, HIS WIFE, and ELLIS P. BLOCK and MOLLIE D. BLOCK, HIS WIFE, and did each acknowledge the foregoing Declaration to be their act and deed.



IN TESTIMONY WHEREOF I have affixed my official seal this 4th day of June, A.D. 1953.

Francis G. Boswell
FRANCIS G. BOSWELL My Commission Expires
March 14, 1958

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) CKW 1806, p. 0255, MSA_CE63_1764. Date available 01/02/2008. Printed 05/30/2014.