THE GRAND BAHAMA PORT AUTHORITY, LIMITED
BUILDING & DEVELOPMENT DEPARTMENT

RESTRICTIVE COVENANTS

BRISTOL BAY 1 & 2 (U)

UNIVERSAL CONVEYANCE
RESTRICTIVE COVENANTS

Bristol Bay Units 1 & 2

1. **NON PERMITTED USES.** No trade manufacture business or commercial undertaking (including the business of a guest-house proprietor boarding-house keeper or hotel operator) other than rental of residential dwellings and no profession other than the profession of a doctor or dentist shall be carried on on any lot.

2. **TEMPORARY BUILDINGS.** No temporary building of any kind (including any tent or trailer used for sleeping accommodation) shall be built or allowed to remain on any lot except temporary sheds or workshops intended to be used and used only for the works incidental to the erection of any permanent buildings thereon.

3. **RE-SUBDIVISION.** No lot block tract or unit shall be re-subdivided re-plotted or altered in any way and no building or structure of any kind shall be built erected constructed placed enlarged or altered and no site clearing undertaken on any lot unless and until the detailed plans and the proposed type of resubdivision replatting or alteration and the detailed plans and specifications and the proposed type of construction and the proposed location of such site clearing buildings or structures upon the said lot shall have been submitted to the Vendor and approved of by it in writing. Every application to the Vendor shall be in writing on a form to be provided by the Vendor and shall be accompanied by the detailed plans and the proposed type of resubdivision replatting or alteration and by the detailed plans and specifications and details of the proposed type of construction and plat showing the location of such site clearing buildings or structures on said lot and shall be delivered by registered post to the office of the Vendor at The Grand Bahama Port Authority Headquarters Building, Freeport, Grand Bahama Island, The Bahamas. If within Forty-five (45) days after the delivery of such plans and information as aforesaid to the office of the Vendor no written objection shall have been received by the owner of the lot which is proposed to be re-subdivided replotted or altered or upon which it is proposed to build such buildings or structures from the Vendor then such plans and other information as aforesaid shall be deemed to have been approved by the Vendor.

4. **RE-SUBDIVISION REQUIREMENTS.** No lot block tract or unit shall be re-subdivided replotted or altered in any way and no buildings improvements or premises shall be occupied unless and until and except during such time as the same are erected and maintained in a safe clean and presentable condition and in either or both events comply in all respects with any and all rules and regulations (i) promulgated by The Grand Bahama Port Authority, Limited a Bahamian corporation pursuant to an Agreement made with the Government of the Bahama Islands dated the Fourth day of August, A.D., 1955 and recorded in the Registry of Records of the said Commonwealth in Volume 8 at pages 447 to 479 inclusive and any and all amendments thereto or (ii) promulgated by any applicable public authority, or (iii) specified in any Building Code from time to time established or promulgated by the Vendor in relation to the Subdivision.

5. **BUILDING PERMIT.** No building or structure of any kind shall be erected constructed placed enlarged or altered any manner except by a contractor duly licensed by the said The Grand Bahama Port Authority, Limited pursuant to the said Agreements referred to in paragraph 4 of this Schedule or by a contractor approved of in writing by the Vendor.

6. **WATER WELLS.** No well for the taking of water shall be bored dug or such on any lot or tract except in accordance with the Freeport bye-laws Act 1965 and with the prior approval of The Grand Bahama Utility Company Limited or its successors in title.

7. **WASTE.** No earth closet or open pit toilet or cesspit shall be constructed or maintained on any lot.

8. **UTILITY EASEMENTS.** Nothing shall be done over on or under the area designated on the said diagram or plat or plan hereto attached as "utility easement area" which will or may prevent impede or interfere with the use of such area for the purposes of laying erecting inspecting maintaining repairing replacing and renewing cables pipes lines conduits wires poles and other apparatus for the purposes of water electricity telephone drainage and sewage supplies and services to the Subdivision and every part thereof.

9. **DUMPING.** No lot shall be used as a dumping ground for rubbish trash garbage or other waste matter. Garbage or other waste shall be kept in clean and sanitary containers. All equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. No incinerator shall be permitted except upon prior written approval of the Vendor.

10. **SURFACE WATER.** Nothing shall be done on any lot whereby the natural flow of surface water shall be increased or altered in such manner as to cause a nuisance to any adjoining or neighbouring property.

11. **SIGNAGE.** No sign billboard hoarding or other advertising device of any kind shall be erected or displayed on any lot without the prior written approval of the Vendor.

12. **ANIMALS.** No swine cows horses poultry or objectionable animals or creatures shall be kept raised or maintained on any lot Provided Always that dogs and cats shall not be deemed to be objectionable animals.

13. **NUISANCE.** Nothing shall be done on any lot which may be or become an annoyance or nuisance to the owners of any adjoining or neighbouring lot.

14. **INGRESS AND EGRESS**. No lot shall have a driveway or direct ingress or egress or curb cut from or to any main arterial road as designated by the Vendor provided there is access to said lot by means of an internal or service road.

IN ADDITION TO PARAGRAPHS 1 THROUGH 14 HEREOF THE FOLLOWING ADDITIONAL RESTRICTIONS AND STIPULATIONS SHALL BE APPLICABLE TO LOTS DESIGNATED FOR SINGLE FAMILY DWELLINGS.

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15. **NON PERMITTED USES.** No "duplex house" apartment house hotel or other building designated for occupation by more than one family with its guests and servants shall be built on any lot.

16. **DENSITY.** Not more than one private residence or dwelling house with appropriate outbuildings (including rooms for the accommodation of guests servants' quarters and garage) shall be built on any lot Provided Always that nothing herein contained shall be deemed to restrict the building of one private residence or dwelling house on more that one lot.

17. **MINIMUM SIZE.** No private residence or dwelling house with an interior floor area of less than one Thousand (1,000) square feet shall be built on any lot. Garages carports porches patios and outside terraces shall not be taken into account calculating such minimum square foot area.

18. **SETBACK REQUIREMENTS.** No building shall extend beyond the setback line provided in this paragraph, provided that where more than one lot is developed as a single building site the setback lines between contiguously owned lots shall not apply, but the side lot setback lines shall apply to the perimeter lot lines of the multiple lot site.

- No building shall be erected closer to the **front lot line** than whichever is the lesser of Twenty-five (25) feet or a distance equal to Twenty per centum (20%) of the average depth of the lot.

- No building shall be erected closer to the **rear lot line** whichever is the lesser of Twenty-five (25) feet or a distance equal to Twenty-five per centum (25%) of the average depth of the lot.

- No building shall be erected closer to the **side lot lines** than a distance equal to Ten per centum (10%) of the average width of the lot or less than Sixty-five per centum (65%) of the distance measured from the finished grade to the highest point of the building, whichever is the greater, but in no event closer than Ten (10) feet to such side lot lines.

- No building shall have a **total floor area** under roof in excess of One and two tenths (1.2) times

the buildable area of the site after the required setback areas have been excluded and no building shall exceed Twenty-six (26) feet in height to the highest point of a flat roof or the mean height of a pitched roof as measured from the adjacent natural grade.

IN ADDITION TO PARAGRAPHS 1 THROUGH 14 HEREOF THE FOLLOWING ADDITIONAL RESTRICTIONS AND STIPULATIONS SHALL BE APPLICABLE TO LOTS DESIGNATED FOR (A) TWO FAMILY DUPLEX HOUSES AND (B) MULTI-FAMILY DWELLINGS OF ONE OR TWO STORIES DESIGNED TO INCLUDE THREE OR MORE LIVING UNITS.

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19. **NON PERMITTED USES.** Except for a multi-family dwelling or two-family "duplex house" no apartment house hotel or other building designed for occupation by one or more families with their guests and servants shall be built on any lot.

20. **DENSITY.** Not more than one multi-family dwelling or one two-family duplex house with appropriate outbuildings (including rooms for the accommodation of guests servants' quarters and garage or combined garage and apartment) shall be built on any lot Provided Always that nothing herein contained shall be deemed to restrict the building of one multi-family dwelling or two-family duplex house on more than one lot. No multi-family dwelling shall be built upon any lot having an area less than Ten Thousand (10,000) square feet.

21. **MINIMUM SIZE.** No two-family duplex house with an interior floor area of less than Nine Hundred (900) square feet per living unit shall be built on any lot. Garages carports porches patios terraces and outside stairways shall not be taken into account in calculating such minimum square foot area.

22. **SETBACK REQUIREMENTS.** No building shall extend beyond the setback lines provided in this paragraph provided that where more than one lot is developed as a single building site the setback lines between contiguously owned lots shall not apply but the side lot setback lines shall apply to the perimeter lot lines of the multiple lot site.

    (a) With respect to lots designated for **multi-family dwellings** no building shall be erected closer to any lot line than Fifteen (15) feet.

    (b) With respect to lots designated for **two-family duplex houses**

    - no building shall be erected closer to the **front lot line** than whichever is the lesser of Twenty-five (25) feet or a distance equal to Twenty per centum (20%) of the average depth of the lot;

    - no building shall be erected closer to the **rear lot line** than whichever is the lesser of Twenty-five (25) feet or a distance equal to Twenty-five per centum (25%) of the average depth of the lot;

    - no building shall be erected closer to the **side lot line** than a distance equal to Ten per centum (10%) of the average width of the lot or less than Sixty-five per centum (65%) of the distance measured from the finished grade to the highest point of the building whichever is greater but in no event closer than Ten (10) feet to the said side lot line.

23. **HEIGHT AND ROOF PITCH.** No building shall exceed (i) two storeys and (ii) twenty-eight (28) feet in height from adjacent natural grade of the ground to the midpoint of a pitched roof. No multi-family dwelling or two-family duplex house shall be erected without a pitched roof with pitch of not less than one and five tenths (1.5) inches per foot. No building shall have a straight wall extending longer than Two hundred 200) feet.

24. **PARKING REQUIREMENTS.** No Multi-family dwelling or two-family duplex house shall be built on any lot or lots unless there shall also be provided on such lot or lots a minimum of one and five tenths (1.5)

parking spaces for each dwelling unit of the building thereon. Each parking space whether covered open or in a garage shall be not less than Nine (9) feet by Twenty (20) feet in size. All parking spaces whether covered or open other than those contained in a garage shall be obscured from public view from the adjacent road by masonry walls not less than Four (4) feet in height above adjacent ground level.

IN ADDITION TO PARAGRAPHS 1 THROUGH 14 HEREOF THE FOLLOWING ADDITIONAL RESTRICTIONS AND STIPULATIONS SHALL BE APPLICABLE TO LOTS DESIGNATED FOR HIGH RISE DWELLINGS.

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25. **NON PERMITTED USES.** No hotel shall be built on any lot.

26. **SETBACK REQUIREMENTS.** No building shall extend beyond the setback line provided in this paragraph provided that where more than one lot is developed as a single building site the setback lines between contiguously owned lots shall not apply but the side lot setback lines shall apply to the perimeter lot lines of the multiple lot site. No building shall be erected closer to any lot line of an adjacent lot than Thirty (30) feet nor closer to any other lot line than Fifteen (15) feet.

27. **HEIGHT.** The total floor area under roof of all buildings on any lot or group of lots developed as a single building site shall not exceed Four (4) times the buildable area of the site after the required setback areas have been excluded and not less than Sixty per centum (60%) of all living units within such buildings shall be contained in the portion of a building or buildings which shall be less than Six (6) storeys in height from adjacent natural ground level. No building shall have a straight wall extending longer than Two Hundred feet.

28. **PARKING REQUIREMENTS.** No building shall be built on any lot or lots unless there shall also be provided on such lot or lots a minimum of one and one-quarter (1-1/4) parking spaces for each living unit of the building thereon. Each parking space whether covered open or in a garage shall be not less than Nine (9) feet by Twenty (20) feet in size. All parking spaces whether covered or open other than those contained in a garage shall be obscured from public view from the adjacent road by masonry wall not less than Four (4) feet in height above adjacent ground level.