

**THE GRAND BAHAMA PORT AUTHORITY, LIMITED  
BUILDING & DEVELOPMENT DEPARTMENT**



**RESTRICTIVE COVENANTS**

**CIVIC INDUSTRIAL AREA**

## **Civic Industrial Area**

### **THE FIRST SCHEDULE HEREINBEFORE REFERRED TO**

ALL those certain pieces parcels or lots of land containing by admeasurements a total of Thirteen thousand Five Hundred (13,500) square feet or thereabouts being the lots numbered 2 and 19 in Block 'B' situate in the Civic Industrial Area of the City of Freeport on the Island of Grand Bahama aforesaid which said pieces parcels or lots of land have such position boundaries shape marks and dimensions as are shown on a plan of the area hereto attached and are thereon more particularly delineated and shown coloured Pink.

### **THE SECOND SCHEDULE HEREINBEFORE REFERRED TO**

1. Not, except insofar as such use is currently permitted at the date hereof, and not without the prior written consent of the Vendor to use any part of the said hereditaments for:-
  - (a) the business of a shipyard for the construction and repair and scrapping of ships of Five Thousand (5,000) dead weight tons and upwards;
  - (b) establishment maintenance and operation of a plant for the manufacture and production of lime;
  - (c) the manufacture and distribution of cement;
  - (d) construction operation and maintenance of an oil refinery and petro-chemical facility;
  - (e) wholesale distribution of petroleum products;
  - (f) the sale of marine fire and accident insurance;
  - (g) the business of a retail food store selling food or food products for off-premises consumption;
  - (h) distribution by cable of T.V. signals;
  - (i) manufacture distribution and sale of electric power and energy;
  - (j) pumping collecting storing distribution and sale of water;
  - (k) the operation of public transport system;
  - (l) the operation of garbage disposal systems;
  - (m) storing distributing and selling by means of pipes only, gas (other than liquefied petroleum gas).
2. Not to do anything on the said hereditaments which will interfere with the reasonable use and enjoyment of any adjoining property or any property in the immediate vicinity or neighbourhood of the said hereditaments and in particular not to cause any contamination or pollution of the air the sea or any underground water supply in the locality.
3. Not to erect or construct any building structure of any kind on any part of the said hereditaments unless such building or structure shall comply with the Town Planning Regulations and the Building and Sanitary Codes from time to time promulgated by the Port Authority and any Bye-Laws made by the Port Authority pursuant to the Freeport Bye-Laws 1965 or any statutory reenactment thereof.
4. No earth closet or pit toilet or cesspit shall be constructed erected or maintained on any part of the said hereditaments.
5. No temporary buildings of any kind (including any tent or trailer used for sleeping accommodation) shall be built or maintained on any part of the said hereditaments except when placed thereon in connection of permanent buildings or structure on the said hereditaments.

6. No part of the said hereditaments shall be used as a dumping ground or place for the accumulation of garbage trash or other waste matter.
7. No unlawful use shall be made of any part of the said hereditaments.
8. Not to use any part of the said hereditaments for any residential, industrial, or manufacturing enterprise or activity without the prior consent in writing of the Vendor.

#### THE THIRD SCHEDULE HEREINBEFORE REFERRED TO

EXCEPTING AND RESERVING unto The Port Authority Limited The Grand Bahama Utility Company Limited Freeport Power Company Limited and The Grand Bahama Telephone Company Limited and their respective successors in title and assigns owner or owners operator or operators for the time being as the case may be of the water electricity and telephone supply and service undertakings and systems those adequate convenient and suitable areas for the purpose of the exercise of the easement rights and privileges hereby expected and reserved of laying erecting inspecting maintaining repairing replacing and renewing such cables pipe lines conduits wires poles and other apparatus on under and over the said hereditaments as may be necessary or desirable for the purposes of furnishing and maintaining water electricity and telephone supplies and services to the said hereditaments and every part thereof respectively and the furnishings and maintaining of drainage and sewerage systems and facilities therefor together with all such easements rights and privileges of entering upon excavating and breaking open the surface of the said hereditaments and otherwise as may be necessary or desirable for or in connection with any of the foregoing purposes PROVIDED that the said The Grand Bahama Utility Company Limited Freeport Power Company Limited and Grand Bahama Telephone Company Limited and their respective successors in title as aforesaid shall do no unnecessary damage to any building or improvement and shall cause as little interference as possible to the development of the said hereditaments for the time being carried on in the exercise of such easement rights and privileges and shall restore and make good the surface of any part of the said hereditaments broken or excavated and any damage done to any building or improvement in any such exercise as aforesaid.

#### THE FOURTH SCHEDULE HEREINBEFORE REFERRED TO

The Purchaser shall have:

A right of way from time to time and at all times hereafter by day or by night and for all purposes connected with the lawful use and enjoyment of the said hereditaments but not for any other purpose whatsoever for the Purchaser and the Purchaser's assigns the owners and occupiers for the time being of the said hereditaments or any part thereof and or their respective servants and licensees (in common with the Vendor and all other persons having the like right) with or without vehicles of any description and with or without animals to and from the said hereditaments or any part thereof and all or any buildings thereon over and along the roadways of the Vendor situate within the "Port Area" and over and along those private roadways situate within the said Port Area over which there are at the date hereof rights of way appurtenant to the hereditaments of which the said hereditaments form a part but subject nevertheless to:-

- (a) The right which is expressly reserved to the Vendor of closing temporarily or permanently any subsidiary road if the Vendor at any time or times in its discretion thinks fit so to do; and
- (b) All rules and regulations from time to time to be made and all orders from time to time to be given by the Vendor for closing any subsidiary road or restricting or controlling the general traffic using the same;
  - (i) for the purpose of restricting on a gross tonnage per axle basis the hauling and/or transporting of heavy machinery equipment and supplies to certain of the subsidiary roads
  - (ii) for the purpose of repairing maintaining or expanding any subsidiary roads
  - (iii) for the purpose of the management and control thereof, or
  - (iv) for the orderly direction of persons and traffic using the same.