PROTECTIVE COVENANTS (CON.)

BACK LINES SHOWN ON THE RECORDED PLOT. IN ANY EVENT THE MAIN BODY OF THE BUILDING SHALL NOT BE LOCATED ON ANY RESIDENTIAL BUILDING PLOT NEARER THAN 30 FEET TO EITHER THE FRONT LOT LINE OR THE SIDE STREET LINE OR NEARER THAN 10 FEET TO ANY SIDE LOT LINE. THE MAIN BODY OF A BUILDING AS USED HEREIN REFERS TO THE MAIN OR PRINCIPAL OUTER WALL OF THE BUILDING, EXCLUSIVE OF PORCHES STOOPS, CHIMNEYS, EAVES OR SIMILAR PROJECTIONS.

No RESIDENTIAL STRUCTURE SHALL BE ERECTED OR PLACED ON ANY BUILDING PLOT, WHICH PLOT HAS A WIDTH OF LESS THAN 75 FEET AT THE FRONT LOT LINE.

No NOXIOUS OR OFFENSIVE TRADE OR ACTIVITIES SHALL BE CARRIED ON UPON ANY LOT NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

No TENT, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUTBUILDING ERECTED IN THE TRACT SHALL AT ANY TIME BE USED AS A RESIDENCE TEMPORARILY OR PERMANENTLY NOR SHALL ANY STRUCTURE OF A TEMPORARY CHARACTER BE USED AS A RESIDENCE.

No DWELLING COSTING LESS THAN $4,000.00 SHALL BE PERMITTED ON ANY LOT IN THE TRACT AND NO DWELLING COSTING LESS THAN $10,000.00 SHALL BE PERMITTED ON LOTS 4 TO 18 INCLUSIVE, BLOCK 6. THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE STORY OPEN PORCHES AND GARAGES SHALL NOT BE LESS THAN 900 SQ. FT. IN THE CASE OF A ONE STORY STRUCTURE NOR LESS THAN 800 SQ. FT. IN THE CASE OF A ONE AND ONE-HALF, TWO OR TWO AND ONE-HALF STORY STRUCTURE.

EASEMENTS AFFECTING THE ENTIRE SUBDIVISION ARE HEREBY RESERVED FOR THE INSTALLATION AND MAINTAINANCE OF STORM SEWERS, ELECTRIC POLES, TELEPHONE POLES, WATER MAINS OR ANY OTHER UTILITY EASEMENT THAT MAY BE NEEDED.

No PERSON OF ANY OTHER RACE THAN CAUCASIAN SHALL USE OR OCCUPY ANY BUILDING OR ANY LOT, EXCEPT THAT THIS COVENANT SHALL NOT PREVENT OCCUPANCY BY DOMESTIC SERVANTS OF A DIFFERENT RACE DOMICILED WITH THE OWNER OR TENANT. THE LOTS SHOWN ON THIS MAP MAY BE FURTHER SUBDIVIDED FOR THE PURPOSE OF INCREASING THE SIZE OF ADJACENT LOTS, HOWEVER NO ADDITIONAL BUILDING PLOTS MAY BE CREATED BY FURTHER SUBDIVISION OF THE LOTS SHOWN.

AN EASEMENT IS REQUIRED TO ALLOW THE UTILITIES TO PLACE POLES AND ANCHORS IN OR WITHIN 2 FEET OF THE INSIDE PROPERTY LINE.

No FARM ANIMALS SHALL BE KEPT OR MAINTAINED ON ANY RESIDENTIAL BUILDING PLOT.

No PERSON OR PERSONS SHALL BE PERMITTED TO DUMP GARBAGE TRASH OR SEWAGE ON LOTS, IN DRAINS OR IN SHOAL CREEK WITHIN THIS SUBDIVISION.

IN THE EVENT BUILDING COSTS INCREASE OR DECREASE OVER 1949 COSTS, DWELLING COSTS MAY BE INCREASED OR DECREASED PROPORTIONALLY. THIS DECISION TO BE LEFT TO THE DISCRETION OF THE BOARD OF DIRECTORS

~~DESCRIPTION OF LAND AND STATEMENT OF OWNERSHIP~~

THE LAND COVERED BY THE ARDEN SUBDIVISION IS LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 22 SOUTH, RANGE 3 WEST.

THE LAND ON WHICH THE ARDEN SUBDIVISION IS SITUATED IS THE PROPERTY OF MONTEVALLO DEVELOPMENT CO. A CORPORATION INCORPORATED UNDER THE LAWS OF THE STATE OF ALABAMA.

STATE OF ALABAMA
SHELBY COUNTY

WE, THE UNDERSIGNED I.S. GILLESPIE, LAND SURVEYOR AND MONTEVALLO DEVELOPMENT CO., OWNERS OF THE LAND HEREINAFTER DESCRIBED, DO HEREBY CERTIFY THAT THIS IS A CORRECT MAPOR PLAT SHOWING THE STREETS, ALLEYS, AND EASEMENTS AND GIVING THE LENGTH, WIDTH AND NAMES OF EACH STREET AND THE NUMBER OF EACH LOT AND BLOCK AND SHOWING THE RELATION OF THE LAND PLOTTED IN SEC. 21, TP. 22 S, R3W.

I.S. Gillespie Reg. L.S. #576

MONTEVALLO DEVELOPMENT CO.
BY _____ PRES.

STATE OF ALABAMA
SHELBY COUNTY

I, Mary Lu Mahaffey A NOTARY PUBLIC IN AND FOR SAID COUNTY HEREBY CERTIFY THAT I.S. GILLESPIE, LAND SURVEYOR, AND R.E. WHALEY, PRES. MONTEVALLO DEV. CO. OWNERS, WHOSE NAMES ARE SIGNED TO THE FOREGOING CERTIFICATE, AND WHO ARE KNOWN TO ME, ON BEING INFORMED OF THE CONTENTS OF THIS CERTIFICATE EXECUTED SAME VOLUNTARILY ON THE DAY SOME BEARS DATE. GIVEN UNDER MY HAND AND SEAL THIS 10th DAY OF Sept. 1949

Mary Lu Mahaffey
NOTARY PUBLIC

STATE OF ALABAMA
SHELBY COUNTY

I HEREBY CERTIFY THAT THE WITHIN MAP WAS FILED AND RECORDED IN MAP BOOK ____ PAGE ____ Sept 22 1949

_____
JUDGE OF PROBATE

STATE OF ALABAMA
SHELBY COUNTY
APPROVED: TOWN OF MONTEVALLO
BY Harry E. Kendrick
Clerk

STATE OF ALABAMA
SHELBY COUNTY
APPROVED: TOWN OF MONTEVALLO PLANNING BOARD
BY _____

PROTECTIVE COVENANTS

THESE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM UNTIL JAN. 1, 1975 AT WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF 10 YEARS UNLESS BY VOTE OF A MAJORITY OF THE THEN OWNERS OF THE LOTS IT IS AGREED TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.

IF THE PARTIES HERETO, OR ANY OF THEM, OR THEIR HEIRS OR ASSIGNS SHALL VIOLATE OR ATTEMPT TO VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR ANY OTHER PERSON OR PERSONS OWNING ANY REAL PROPERTY SITUATED IN SAID DEVELOPMENT OR SUBDIVISION TO PROSECUTE ANY PROCEEDING AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT AND EITHER TO PREVENT HIM OR THEM DATO RECOVER DAMAGES OR OTHER DUES FOR SUCH VIOLATIONS.

INVALIDATION OF ANY OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

ALL LOTS IN THE TRACT SHALL BE KNOWN AND DESCRIBED AS RESIDENTIAL LOTS.

No STRUCTURE SHALL BE ERECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY RESIDENTIAL BUILDING PLOT OTHER THAN ONE DETACHED SINGLE FAMILY DWELLING NOT TO EXCEED TWO AND ONE-HALF STORIES IN HEIGHT AND A PRIVATE GARAGE FOR NOT MORE THAN 2 CARS AND APPROPRIATE OUT BUILDINGS

No BUILDING SHALL BE ERECTED, PLACED, OR ALTERED ON ANY BUILDING PLOT IN THIS SUBDIVISION UNTIL THE BUILDING PLANS, SPECIFICATIONS AND PLOT PLAN SHOWING THE LOCATION OF SUCH BUILDINGS HAVE BEEN APPROVED IN WRITING AS TO CONFORMITY AND HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES IN THE SUBDIVISION, AND AS TO THE LOCATION OF THE BUILDING WITH RESPECT TO TOPOGRAPHY AND FINISHED GROUND ELEVATION BY A COMMITTEE COMPOSED OF THREE PERSONS APPOINTED BY THE PRESIDENT OF MONTEVALLO DEVELOPMENT CO. OR BY A REPRESENTATIVE DESIGNATED BY A MAJORITY OF THE MEMBERS OF SAID COMMITTEE. THE MEMBERS OF THIS COMMITTEE TO SERVE AT THE WILL OF THE PRESIDENT OF THE MONTEVALLO DEVELOPMENT CO.

PROTECTIVE COVENANTS (CON.)

IN THE EVENT SAID COMMITTEE OR ITS DESIGNATED REPRESENTATIVE FAILS TO APPROVE OR DISAPPROVE SUCH DESIGN AND LOCATION WITHIN 30 DAYS AFTER SAID PLANS AND SPECIFICATIONS HAVE BEEN SUBMITTED TO IT OR, IN ANY EVENT IF NO SUIT TO ENJOIN THE ERECTION OF SUCH BUILDING OR THE MAKING OF SUCH ALTERATIONS HAS BEEN COMMENCED PRIOR TO THE COMPLETION THEREOF SUCH APPROVAL WILL NOT BE REQUIRED AND THIS COVENANT WILL BE DEEMED TO HAVE BEEN COMPLIED WITH. NEITHER THE MEMBERS OF SUCH COMMITTEE NOR ITS DESIGNATED REPRESENTATIVE SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT. THE POWERS AND DUTIES OF SUCH COMMITTEE AND OF ITS DESIGNATED REPRESENTATIVE SHALL CEASE ON AND AFTER Jan. 1, 1975. THEREAFTER THE APPROVAL DESCRIBED IN THIS COVENANT SHALL NOT BE REQUIRED UNLESS PRIOR TO SAID DATE AND EFFECTIVE THEREON, A WRITTEN INSTRUMENT SHALL BE EXECUTED BY THE THEN RECORDED OWNERS OF A MAJORITY OF THE LOTS IN THE SUBDIVISION AND DULY RECORDED, APPOINTING A REPRESENTATIVE OR REPRESENTATIVES, WHO SHALL THEREAFTER EXERCISE THE SAME POWERS PREVIOUSLY EXERCISED BY SAID COMMITTEE.

THE MAIN BODY OF A BUILDING SHALL NOT BE LOCATED NEARER TO THE FRONT LOT LINE OR NEARER TO THE SIDE STREET LINE THAN THE BUILDING SET

STATE OF ALABAMA
SHELBY COUNTY

THE UNDERSIGNED, MONTEVALLO DEVELOPMENT CO. BY ITS DULY AUTHORIZED EXECUTIVE OFFICER, DOES HEREBY DONATE AND GRANT TO THE TOWN OF MONTEVALLO, FOR PUBLIC USE, THE STREETS, ALLEYS ROADS, DRIVES, PARKWAYS AND EASEMENTS SHOWN AND DEDICATED ON THIS MAP.

MONTEVALLO DEVELOPMENT CO.
BY _____ PRES.

PLAT
OF
ARDEN SUB-DIVISION

PROPERTY OF MONTEVALLO DEVELOPMENT COMPANY

TOWN OF MONTEVALLO, ALABAMA
SHELBY COUNTY
SCALE 1" = 100'