

RESTRICTIONS

FOR WALTERS COVE, FIRST SECTOR
IN THE N¹/₂ OF SECTION 23, TP 21
Range 1 East, Shelby County, Ala.

RECITES:

THAT WHEREAS, the undersigned C. T. Walters, 1315 Alford Avenue, Birmingham 16, Alabama, is the owner of all the lots in the Survey of "Walters Cove, First Sector, a map of which is recorded in Map Book 5, Page 21, in the Probate Office of Shelby County, Alabama.

WHEREAS, the undersigned C. T. Walters is desirous of establishing certain restrictions and limitations applicable to all lots owned by him in the said Survey of Walters Cove, First Sector.

NOW THEREFORE, the undersigned C. T. Walters does hereby adopt the following restrictions and limitations which shall be applicable to lots in the said Survey of Walters Cove, First Sector:

1. That said property shall be used for residence purposes only and not for any purpose of business or trade.

2. No dwelling shall be erected on any lot in the said Survey of Walters Cove, First Sector, of less than 1,000 feet, exclusive of porches, carports or terraces, and not less than 800 feet on the first floor of 1¹/₂ or 2 story dwellings.

3. No building, except for a single dwelling house designed for use of only one family with no more than one outbuilding, except for small well or pump house, shall be built on any lot in the said subdivision.

4. No trailers, temporary buildings, garages or other buildings shall be built and used for residence purposes prior to the completion of a dwelling house on said lots in accordance with these restrictions.

5. No dwelling shall be erected on said property, the front line of which (which means the front line of porches or any projection not counting steps) shall be nearer the road or street right of way line on which said lot, or property, faces than sixty (60) feet; and no dwelling shall be erected on said property, the side line of which (which means the side line of porch or any projection not counting steps) shall be nearer the side line of said property than twenty-five (25) feet. No detached outbuilding, or garage, shall be erected the side lot lines than twenty-five (25) feet. On corner lots the side of the dwelling, or any outbuilding, shall not be closer to the street or road right of way than sixty (60) feet, except on Lot 26, where the dwelling or any outbuilding may be located thirty (30) feet from the said road or street right of way. The undersigned C. T. Walters, or Emmett Cloud Realty Company, its successors or assigns, reserves the right to modify the building line restrictions on any lot in the said subdivision of Walters Cove, First Sector.

6. No fences or walls, nor growing hedges planted and maintained, exceeding three (3) feet in height shall be permitted or built closer to the road, or street right of way on which the property faces than the front line of the residence. All fences and walls shall be of a decorative nature. No lot shall be cultivated for crops of any sort, except for small kitchen gardens which shall be suitably located.

7. There shall not be built, maintained or kept, on any lot on said property, a cess pool, privy, privy vault or receptacle of any kind for the storage of liquid waste, except tanks of an improved type, completely acceptable to the Shelby County Health Department, or authorities. All septic tanks and adequate field lines must be inspected and approved by the said Shelby County Health Department, or authorities. No septic tanks or field lines shall be constructed within twenty (20) feet of an adjoining property line. No sewer or drainage line shall be constructed, or laid, which shall empty on, or become a nuisance to, the adjoining property.

8. No outbuildings, buildings or residences shall be erected or begun on said property without plans, specifications, architectural designs, grades and location therefore having been first submitted to and approved by C. T. Walters, or Emmett Cloud Realty Company, its successors or assigns. No lot may be subdivided or reduced in size by voluntary alienation, judicial sale or other proceedings, except at the discretion and with the written approval of C. T. Walters, or Emmett Cloud Realty Company, its successors or assigns.

See amended restrictions, Misc. B.R. 12 Page 888 10-8-75
See Amendment of restrictions, Comments, B.R. 40 Page 683 (5-13-81)

Restrictions for Walters Cove, First Sector.

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9. No pigs, goats, cows, horses or chickens may be kept on said property. No dog kennels or places for the raising of livestock or other animals will be allowed; owners may have pet dogs, cats or birds, which must be confined to the premises and not allowed to become a nuisance to other property owners in the said subdivision of Walters Cove, First Sector.

10. No occupant of any lot may accomodate boarders or lodgers for hire on the said premises.

11. Road, or street, rights of way are shown on the map of "Walters Cove, First Sector" as recorded in Map Book 5, Page 22, in the Probate Office of Shelby County, Alabama, as well as permanent easements for ditches or channels. Said rights of way, roads, easements or channels may be entered by the undersigned Owner grantor or a public Agency for the purpose of improvements or maintenance.

It is understood and agreed that the foregoing conditions, limitations and restrictions shall attach to and run with the land or property for a period of twenty-five (25) years from June 1st, 1967, at which time the said restrictions and limitations shall be automatically extended for successive periods of ten (10) years, unless by a vote of the majority of the then owners of the lots included in this First Sector of Walters Cove, it is agreed in writing to change said restrictions and limitations 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 real property situated in said Walters Cove, First Sector, to prosecute any proceedings 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, from so doing or to recover damages or other dues from such violation.

Invalidation of any one 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.

IN WITNESS, C. T. Walters has hereunto set his hand and seal on this 22nd day of May, 1967.

C T Walters
C. T. Walters

State of Alabama

Jefferson County

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that C. T. Walters, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 22nd day of May, 1967.

STATE OF ALA. PROB. CO.
PROPERTY TAX INSTRUMENT
WAS FILED ON 8th
6-19 1967

RECORDED & INDEXED

\$ - DEED TAX
PD. ON THIS

Cornelius M. Smith
JUDGE OF PROBATE

Emmett W. Cloud
Notary Public

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