

STATE OF ALABAMA)

SHELBY COUNTY)

3035

RESTRICTIONS ON REAL ESTATE



19760308000019600 1/3 \$.00
Shelby Cnty Judge of Probate, AL
03/08/1976 12:00:00 AM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, the undersigned Dolphus Lester Martin and wife, Mary Lee Martin; Betty Jean Pryor, an unmarried woman; F. Richard Fogle and wife, Anna Carol Fogle; Thomas James Tucker and wife, Mary Ann Tucker being all the owners of the following described real property situated in Shelby County, Alabama, to-wit:

Begin at the Southwest Corner of the Southwest Quarter of the Northwest Quarter of Section 25, Township 20 South, Range 4 West, Shelby County, Alabama and run Northerly along the West boundary of said quarter a distance of 512.90 feet, thence turn left 92 degrees 52 min. and run South 87 degrees 08 min. West 324.94 feet, thence North 33 degrees 33 min. west 51.62 feet, thence North 66 degrees 04 min. West 173.57 feet, thence North 00 degrees 02 min. west 200.62 feet to the Southerly right of way of Shelby County #13, thence North 75 degrees 44 min. East along said right of way 126.40 feet to the point of a 4 degree curve to the left having a Delta angle of 42 degrees 12 min. and a radius of 1472.69 feet and follow arc of said curve a distance of 1084.68 feet to the point of tangency, thence continue along said right of way and tangent North 33 degrees 32 min. East 689.74 feet to a point on the North boundary of the South half of the Northwest quarter of the Northwest quarter of Section 25, thence North 87 degrees 50 min. East 463.92 feet along the North boundary of the South half of the Northwest Quarter of the Northwest Quarter of Section 25, to a point on the East boundary of the Northwest Quarter of the Northwest Quarter, thence run South 00 degree 10 min. 30 sec. West along said East boundary and the East boundary of the Southwest quarter of the Northwest quarter a distance of 1993.02 feet to the Southeast corner of the Southwest Quarter of the Northwest quarter, thence run South 87 degrees 36 min. West along the South boundary of the Southwest quarter of the Northwest quarter a distance of 1315.01 feet to the point of beginning.

And WHEREAS, the undersigned deem it advisable to impose and place certain covenants, restrictions, limitations and conditions on said real property hereinabove described, governing the use and occupancy thereof,

NOW THEREFORE the undersigned Dolphus Lester Martin and wife, Mary Lee Martin; Betty Jean Pryor, an unmarried woman; F. Richard Fogle and wife, Anna Carol Fogle; Thomas James Tucker and wife, Mary Ann Tucker as owners of the hereinabove described real property, do hereby impose on the above described real property the following covenants, restrictions, limitations and conditions:

(1) No lot or any building or improvement constructed or erected thereon shall be used, either in whole or in part, temporarily or permanently, as a business or a commercial establishment, or for any purpose other than residential and/or private recreational purposes.

(2) No portion of said real property shall be divided or subdivided into lots of less than one acre.

(3) No building or improvement shall be constructed or erected or permitted to remain on any one lot other than the following:

(a) One detached single family dwelling, together with necessary and appurtenant outbuildings, which dwelling when completed will contain not less than one thousand eight hundred (1800) square feet of usable living space.

(b) One pier or dock.

(c) One mobile home used as temporary living quarters by the lot owner during the construction of a single family dwelling on said lot provided however, that in no event shall such mobile home remain on said lot for a period in excess of two (2) years.

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(4) No building or improvement, except a fence and/or pier, shall be constructed, erected, altered, placed or permitted to remain on any lot, any part of which is nearer than twenty (20) feet to any boundary line of said lot.

(5) These covenants touch and concern and benefit the land and shall run with the land and shall be binding on all parties and all persons claiming under them until January 1, 2000, at which time said covenants shall terminate, unless otherwise renewed by consent. They may be altered, changed, amended or revoked; as applied or to be applied to all lots by the unanimous consent of the owners of all lots at the time of such proposed alteration, change, amendment or revocation.

(6) Enforcement of these covenants shall be by proceeding against any person or persons violating or attempting to violate any covenant, either to restrain violation or to recover damages.

(7) Invalidity of any one of these covenants by judgment or court order shall in no way affect the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned Dolphus Lester Martin and wife, Mary Lee Martin; Betty Jean Pryor, an unmarried woman; F. Richard Fogle and wife, Anna Carol Fogle; Thomas James Tucker and wife, Mary Ann Tucker have hereunto set their signatures and seals on this 30 day of December, 1975.

Thomas James Tucker (SEAL)

Mary Ann Tucker (SEAL)

F. Richard Fogle (SEAL)

Anna Carol Fogle (SEAL)

Betty Jean Pryor (SEAL)

Dolphus L. Martin (SEAL)

Mary Lee Martin (SEAL)

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, in and for said County, in said State, hereby certify that Dolphus Lester Martin and wife, Mary Lee Martin whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30 day of December, 1975.

Bernard W. Leonard
NOTARY PUBLIC
Term expires 12-31-78

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, in and for said County, in said State, hereby certify that Betty Jean Pryor, an unmarried woman, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on

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this day, that, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30 day of March, 1975.

Bernard D. Leonard
NOTARY PUBLIC
Term expires 12-26-78

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, in and for said County, in said State, hereby certify that F. Richard Fogle and wife, Anna Carol Fogle, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day, that being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30 day of March, 1975.

Bernard D. Leonard
NOTARY PUBLIC
Term expires 12-26-78

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, in and for said County, in said State, hereby certify that Thomas James Tucker and wife, Mary Ann Tucker, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day, that being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30 day of March, 1975.

Bernard D. Leonard
NOTARY PUBLIC
Term expires 12-26-78



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Shelby Cnty Judge of Probate, AL
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Carol M. Johnson
JUDGE OF PROBATE

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
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