

Prepared by: Helen G. Sanders
Route 1 Box 479, Helena, Alabama 35080

9344

RESTRICTIONS FOR

WINDWOOD CIRCLE

Recorded in Map Book 6, Page 154, in the
Probate Office of Shelby County, Alabama

19770603000053910 1/2 \$.00
Shelby Cnty Judge of Probate, AL
06/03/1977 12:00:00 AM FILED/CERT

RECITES:

THAT WHEREAS, the undersigned Emmett W. Cloud is the owner of all estates in the Survey of Windwood Circle, a map of which is recorded in Map Book , Page , in the Probate Office of Shelby County, Alabama.

AND WHEREAS, the undersigned Emmett W. Cloud is desirous of establishing certain restrictions and limitations applicable to all estates owned by him in the said Survey of Windwood Circle.

NOW THEREFORE, the undersigned Emmett W. Cloud does hereby adopt the following restrictions and limitations which shall be applicable to all estates in the said Survey of Windwood Circle, which restrictions and limitations are as follows:

1. Said property shall be used for residential purposes only and not for any purpose of business or trade.
2. No dwelling shall be erected on any estate in the said Windwood Circle of less than 2,400 square feet minimum living area, exclusive of porches and not less than 1,800 square feet on the first floor of 1½ and 2-story buildings. Credit will be given for ½ of square foot living area finished in basement with outside entrance above the 1,800 square foot requirement.
3. No trailers, mobile homes, temporary buildings, stables, garages or other buildings shall be used for residential purposes prior to the completion of a permanent dwelling on said estates in accordance with these restrictions.
4. No more than one outbuilding shall be built on any estate in said Windwood Circle and it must be for the personal use of the property owner.
5. No dwelling shall be erected on said property, the front line of which (meaning the front line of porches or any projection, not counting steps) shall be nearer the road on which said estate faces than as shown by the recorded map of Windwood Circle. No dwelling shall be erected on said property, the side line of which (meaning the side line of porches or any projection not counting steps) shall be nearer each side line of said property than 50 feet. No detached outbuildings or garages shall be erected nearer the side estate lines than 50 feet. The undersigned owner or Emmett Cloud Realty Company, its successors or assigns, reserve the right to modify the building line restrictions on any estate in the said subdivision of Windwood Circle.
6. No fences or walls above the grade of the estate shall be erected, nor growing hedges planted and maintained on said property nearer than 15 feet from the front property line; all fences and walls shall be of a decorative nature and are to be approved by the undersigned owner, or Emmett Cloud Realty Company, its successors or assigns.
7. No out-buildings, 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 the undersigned owner or Emmett Cloud Realty Company, its successors or assigns. All septic tanks must be of an approved type, such tanks together with adequate field lines must be approved and completely acceptable to the Shelby County Health Department. No septic tank or field lines shall be constructed within 10 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. No estate 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 the undersigned owner or Emmett Cloud Realty Company, its successors or assigns.
8. No animals or fowls shall be allowed except dogs and cats and 1 horse per acre. No dog kennels will be allowed.

Emmett Cloud
Rte 1 Box 479
Helena, AL 35080

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9. The undersigned owner, or Emmett Cloud Realty Company, its successors or assigns, reserves the right to modify, release, amend, void or transfer all the rights, reservations and restrictions herein set forth, or the right to modify, release, amend or void any one or more of the said herein set forth restrictions for Windwood Circle.

It is understood and agreed that said conditions, limitations and restrictions shall attach to and run with the land for a period of 25 years from 3rd June 1977 at which time said restrictions and limitations shall be automatically extended for successive periods of ten years, unless by a vote of a majority of the then owners of the estates, 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 subdivision of Windwood Circle 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 WHEREOF, the undersigned, Emmett W. Cloud, has hereunto set his hand and seal this 3rd day of June, 1977.

Emmett W. Cloud
Emmett W. Cloud

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Emmett W. Cloud, 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 3rd day of June, 1977.

John J. Sanders
Notary Public

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

1977 JUN -3 AM 11:52

Thomas P. Snowden, Jr.
JUDGE OF PROBATE

Rec. 3.00
Ind 1.00
\$ 4.00

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