

Prepared by: Helen G. Sanders
2100 Centennial Drive, Birmingham, Alabama 35216

4845

RESTRICTIONS FOR

INDIAN CREST ESTATES, THIRD SECTOR, FIRST ADDITION

As recorded in Map Book 7, Page 23,

In the Probate Office of Shelby County

Alabama



19771201000128520 1/2 \$.00
Shelby Cnty Judge of Probate, AL
12/01/1977 12:00:00 AM FILED/CERT

RECITES:

THAT WHEREAS, the undersigned Emmett W. Cloud and wife, Margaret B. Cloud, are the owners of all lots in the Survey of Indian Crest Estates, Third Sector, First Addition, a map of which is recorded in Map Book 7, Page 23, in the Probate Office of Shelby County, Alabama.

WHEREAS, the undersigned Emmett W. Cloud and wife, Margaret B. Cloud, are desirous of establishing certain restrictions and limitations applicable to all lots owned by them in the said Survey of Indian Crest Estates, Third Sector, First Addition.

NOW THEREFORE, the undersigned Emmett W. Cloud and wife, Margaret B. Cloud, do hereby adopt the following restrictions and limitations which shall be applicable to all lots in the said Survey of Indian Crest Estates, Third Sector, First Addition, which restrictions and limitations are as follows:

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 Indian Crest Estates, Third Sector, First Addition, of less than 2400 square feet, exclusive of porches or garages, and not less than 1800 square feet on the first floor of a 1½ or 2-story dwelling. Credit will be given for ½ of the finished living area downstairs when served by an outside entry over which is a 2000 sq. ft. living area or main floor.

3. That no temporary dwellings, stables, 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. No more than one outbuilding, except for small well or pump house, shall be built on any lot in said subdivision.

4. 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 lot faces than as shown by the recorded map of Indian Crest Estates, Third Sector, First Addition. 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 35 feet. No detached outbuildings or garages shall be erected nearer the side lot lines than 35 feet. The undersigned owners or Emmett Cloud Realty Company, its successors or assigns, reserve the right to modify the building line restrictions on any lot in the said subdivision of Indian Crest Estates, Third Sector, First Addition.

5. No outbuildings shall be erected except for the personal use of the property owner.

6. No fences or walls above the grade of the lot 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 owners, or Emmett Cloud Realty Company, its successors or assigns.

7. No outbuildings, buildings, garages or servants houses 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 owners, 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 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 the undersigned owners, or Emmett Cloud Realty Company, its successors or assigns.

Emmett Cloud

See Amendment to Restrictions Map, Blk. 22 page 706 (12/19/77)

RESTRICTIONS FOR INDIAN CREST ESTATES,
THIRD SECTOR, FIRST ADDITION

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8. No animals or fowls may be kept on the premises, except not more than two dogs or two cats, which shall be confined to the premises.

9. The undersigned owners, or Emmett Cloud Realty Company, its successors or assigns, reserves the right to modify, release, amend, void, transfer or delete all the rights, reservations and restrictions herein set forth, or the right to modify, release, amend, void or transfer any one or more of the said herein set forth restrictions on lots in the said subdivision.

10. It is understood and agreed that said restrictions, conditions and limitations shall attach to and run with the land for a period of 25 years from November 30th, 1977, and at which time the said restrictions and limitations shall be automatically extended for successive periods of ten years, unless by a vote of the then majority of the owners of the lots, it is agreed in writing to change said restrictions and limitations in whole or in part. If the parties hereto or any one of them or their heirs or assigns, shall violate, or attempt to violate any of the covenants herein, it shall be lawful for any person or persons, owning real property situated in said development or subdivision, to prosecute any proceedings at law 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 provisions or covenants by judgments 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 on the 30th day of Nov. 1977.



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Shelby Cnty Judge of Probate, AL
12/01/1977 12:00:00 AM FILED/CERT

Emmett W. Cloud

Emmett W. Cloud

STATE OF ALABAMA
JEFFERSON 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 30th day of Nov. 1977.

William G. Jackson

Notary Public

RECEIVED ALABAMA
12/01/1977
JUDGE OF PROBATE

1977 DEC -1 AM 9:41

Rec. 300
Ind. 100
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JUDGE OF PROBATE