

STATE OF ALABAMA)

COUNTY OF SHELBY)

DECLARATION OF PROTECTIVE COVENANTS,
RESTRICTIONS, EASEMENTS, AND AGREEMENTS
FOR

DEARING DOWNS NINTH ADDITION PHASE III

1. No violation of any of this Declaration shall defeat or render invalid the lien of any mortgage made in good faith and for value upon any portion of the property; provided; however, that any mortgagee in actual possession, or any purchaser at any mortgagee's or foreclosure sale shall be bound by and subject to this Declaration as fully as any other owner of any portion of this property.
2. All lots shown on the recored plat of Dearing Downs Ninth Addition Phase III shall be for single family residences only.
3. No lot on the recorded plat of Dearing Downs Ninth Addition Phase III shall be subdivided or set back lines changed without the written permission of the Architectural Control Committee.
4. No buildings, structures, or swimming pool shall be erected, altered, placed or permitted without first being approved in writing by the Architectural Control Committee.
5. All structures shall have their front entrances facing the front street.
6. No building shall be located on any lot nearer than 15' feet from the front lot line. No building except a detached garage shall be located nearer than 5 feet from the side lot line unless approved by the Architectural Control Committee.
7. No trade or business activity or noxious or dangerous activity of any kind shall be carried on upon any lot within the property which may become a nuisance to other lots within the property.
8. No clothes lines will be permitted if visible from any street.
9. No external antennas of any kind will be permitted. No satellite dishes will be permitted.
10. No commercial vehicles shall be permitted. No trailers, mobile or stationary, shall be permitted. All campers, boats, and motorhomes shall be parked on the property so as not to be visible from the street.
11. No out buildings of any kind, either permanent or temporary (tents, shacks, portable storage sheds, etc.), will be permitted.
12. No disabled or non operating, nor wrecked vehicle will be permitted on any lot or any street within the subdivision.
13. Trash, garbage, leaves, etc., shall not be kept on any lot except in sanitary containers and said trash cannot be visible from the street.
14. No animals, livestock, or poultry of any kind shall be kept on any lot, except that the owner may keep no more than 2 dogs or 2 household cats provided they are not kept for any commercial use or purpose and said animals do not become a nuisance to other lot owners.
15. All exterior lighting will be prohibited unless approved in writing by the Architectural Control Committee.
16. No fence, privacy wall or other dividing structure shall be erected on any lot unless approved in writing by the Architectural Control Committee. No chain link fences will be permitted.
17. No basketball goals on any lot, free standing or attached to building, visible from any street.
18. No signs will be allowed on any lot except a 5 foot real estate sign or a contractor's sign while the building is under construction.

19. No exterior alteration or additions shall be made unless approved in writing by the Architectural Control Committee.

20. The ground floor area of any residence, exclusive of open porches, carports and garages shall contain not less than 1120 square feet of living space heated and cooled. In the case of a two story building, the first floor shall contain not less than 700 square feet of living space heated and cooled.

21. All mailboxes are to be the same type and design as approved by the Architectural Control Committee. No newspaper holders or any type hanger on any mail box post will be permitted.

22. No tree larger than 3 inches in diameter shall be cut or removed from any lot unless approved writing by the Architectural Control Committee.

23. Burning of trash, refuse or other materials on any lot is prohibited.

24. No window or through the wall air conditioning units shall be permitted.

25. No brick or brick veneer shall be permitted on any houses or garages in Dearing Downs Ninth Addition Phase II.

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| 1. Dual Tax | |
| 2. V. & T. Tax | |
| 3. F. & T. Tax | 5.00 |
| 4. L. & T. Tax | 3.00 |
| 5. No Tax | |
| 6. Certified Tax | 7.00 |
| Total | 9.00 |

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

91 JUN 20 PM 3:36

James H. Harrison, Jr.
JUDGE OF PROBATE

J. HARRIS DEVELOPMENT CORPORATION

Jack A. Harris
Jack A. Harris, Vice President

Witness: *James H. Harrison, Jr.*

Sworn to and subscribed before me this 20th day of
June 1991.

James H. Harrison, Jr.
Notary Public
MY COMMISSION EXPIRES OCTOBER 24, 1992