


STATE OF ALABAMA
COUNTY OF SHELBY


20090817000316740 1/3 \$19.00
Shelby Cnty Judge of Probate, AL
08/17/2009 03:18:59 PM FILED/CERT

**DECLARATION OF RESTRICTIVE COVENANTS
FOR
KINGDOM MINI FARMS & ADJOINING PROPERTY**

WHEREAS, the undersigned Louis Atkinson and Sherry Atkinson, husband and wife, are owners of the following described real property located in Shelby County, Alabama:

Kingdom Mini Farms, a minor subdivision as shown in the plat recorded in Map Book 40, page 137, in the Probate Office of Shelby County, Alabama; and

WHEREAS, Joseph Motes and Mylana Motes, husband and wife, are the owners of the following described real property located in Shelby County, Alabama:

Commence at the NW corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 7, Township 22 South, Range 1 East, Shelby County, Alabama; thence S $00^{\circ} 00' 00''$ E, a distance of 913.13 feet to the POINT OF BEGINNING; thence S $88^{\circ} 54' 48''$ E a distance of 107.00 feet; thence S $00^{\circ} 00' 00''$ E, a distance of 419.61 feet to a point on the Northerly R.O.W. line of Shelby County Highway 61; thence N $88^{\circ} 33' 37''$ W and along said R.O.W. line, a distance of 24.98 feet; thence N $01^{\circ} 26' 23''$ E and along said R.O.W. line, a distance of 5.00 feet; thence N $88^{\circ} 33' 37''$ W and along said R.O.W. line, a distance of 291.09 feet; thence N $00^{\circ} 00' 00''$ E and leaving said R.O.W. line, a distance of 412.66 feet; thence S $88^{\circ} 54' 48''$ E, a distance of 208.90 feet to the Point of Beginning. Said parcel containing 3.00 acres, more or less; and

WHEREAS, the undersigned desire to subject said real property to the covenants, conditions, limitations, and restrictions hereinafter set forth;

NOW, THEREFORE, the undersigned do hereby expressly adopt the following covenants, conditions, limitations, and restrictions for said real property, and does hereby declare that said real property shall be and is subject to said covenants, conditions, limitations, and restrictions.

1. The minimum building set back line shall be 100 feet from Shelby County Highway 61 and 40 feet from any other lot line.

2. It shall be the responsibility of each lot owner to prevent the occurrence of any unclean, unsightly refuse or garbage on the covered real property.



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3. The covered real property shall be used for single family residential purposes only and not for any purpose of business, trade, or other non-residential use.

4. No residence with less than 1500 square feet of heated floor area, exclusive of porches, carports, basements, and decks or terraces may be erected on any lot.

5. All residences must face Highway 61 except for a residence on Lot 5, which may face Highway 61 or any other access road or street provided for such lot. No detached outbuilding, storage building, garage, or other accessory structure shall be erected closer to the highway (or access road or street for Lot 5) than the front of the residence. No storage is permitted in front of the residence.

6. No wire or chain link fences are permitted in front of a residence.

7. No trailers, temporary buildings, garages, or accessory structures shall be used for residence purposes on the covered real property at any time, including during the construction of a permanent residence. All residences shall be site-built structures. No mobile homes, modular homes, manufactured homes, or similar structures are permitted.

8. Owners may keep one horse, one cow, or one sheep per acre on each lot. No goats, pigs, chickens, or other livestock or fowl may be kept on the covered real property. Owners may have up to three dogs and/or three cats per lot as pets.

9. No unused, inoperable, or abandoned motor vehicles shall be stored on the covered real property unless in a garage or outbuilding so as not to be visible.

10. If any person shall violate or attempt to violate any of the covenants, conditions, limitations, and restrictions contained herein, it shall be lawful for any person or persons owning any of the covered real property to prosecute any proceedings at law or in equity against the violator, and either prevent the violation or recover damages, or both. This right extends not only to the present owners but to any future owners of the covered real property.

IN WITNESS WHEREOF, the undersigned have caused these Restrictive Covenants to be executed this 13th day of August, 2009.

Louis Atkinson
Louis Atkinson

Sherry Atkinson
Sherry Atkinson

Joseph Motes
Joseph Motes

Mylana Motes
Mylana Motes

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Louis Atkinson and Sherry Atkinson, whose names are signed to the foregoing declaration, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 7 day of August, 2009.

Rhonda Hanner
Notary Public

STATE OF ALABAMA
SHELBY COUNTY

MY COMMISSION EXPIRES APRIL 27, 2011

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Joseph Motes and Mylana Motes, whose names are signed to the foregoing declaration, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 7 day of August, 2009.

Rhonda Hanner
Notary Public

STATE OF ALABAMA
SHELBY COUNTY

MY COMMISSION EXPIRES APRIL 27, 2011

I, the undersigned, a notary public in and for said county in said state, hereby certify that Louis Atkinson and Sherry Atkinson, are signed to the foregoing instrument, and who are known to me, executed the same voluntarily on the day that same bears date.

Given under my hand and official seal the 13th day of August, 2009.

Stephanie Glass
Notary Public

My Commission Expires: 2-4-11