

STATE OF ALABAMA

LAUDERDALE COUNTY

PROTECTIVE COVENANTS

The undersigned, Holland E. Greer and wife, Ann C. Greer, being the owners of all the property comprising what is known as Aqua Vista Lake Shores Subdivision - Number 10, a subdivision in Lauderdale County, Alabama, according to the plat of said subdivision recorded in the office of the Judge of Probate of Lauderdale County, Alabama, in Plat Book No. 4, Page 13, hereby impose on all the lots shown on said plat the following covenants and building restrictions.

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 1983, and then continue for successive ten (10) year periods unless changed or modified by a majority of all of the owners, not including mortgagees, of the lots in said subdivision, and shall be binding upon the parties hereto or any of them, their heirs or assigns, or any party claiming under them, who 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 subdivision or the parties hereto to prosecute any proceeding, in 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 for such violation.

Invalidation of any one of these covenants by judgment, court order or otherwise shall in no wise affect any of the other provisions, which shall remain in full force and effect.

1. All lots in said subdivision shall be for residential purposes and use only; and no commercial enterprise of any kind shall be permitted to or allowed to begin, continue or exist thereon or in said subdivision.

2. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be one which may be or become an annoyance or nuisance to the neighborhood.

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3. No house, or similar type, trailer, tent or shack shall be erected, placed or located on the tract or any lot thereof for any purpose except that a temporary structure, other than a trailer, for the storage of tools and materials may be placed on the tract or a lot during the reasonable time required for the construction of a dwelling on a lot and no basement, tent, shack, garage, or other outbuilding erected or placed on the tract or upon any lot shall at any time be used as a residence, or as a camp overnight, temporarily or permanently, nor shall any structure of a temporary character be used as a residence or as a camp, except that bona fide house servants employed by the owner of any individual lot may reside in a garage or suitable outbuilding upon said lot.

4. No dry or chemical type toilets shall be constructed, permitted or allowed upon any lot.

5. The owner of each waterfront lot shall maintain the waterfront of each lot in a clean and neat condition at all times and allow no noxious or offensive conditions to continue thereon.

6. No fireworks, firecrackers, guns, rifles, pistols, or other firearms, whether using power, gas or air, shall be discharged on any lot or any part of said subdivision.

7. (a) No building of any kind shall be located on any lot nearer than 25 feet at the closest point from any public road shown on said plat, and no building shall be located nearer than 10 feet to any interior lot line. No building shall be located within 50 feet of the waterfront, except docks, piers and boathouses.

(b) The main body of any residence constructed on any lot shall contain not less than 1000 square feet of floor space.

8. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mining excavations or shafts be permitted upon or in any lot. No derrick or structure for drilling or boring for oil or natural gas shall be erected, maintained or permitted upon any lot.

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9. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats, or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose.

10. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other wastes shall not be kept except in a sanitary container. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

11. No fence, wall, hedge or shrubbery planting which obstructs the sight lines of elevation between 2 and 6 feet above the roadway shall be placed or permitted to remain on any corner lot in such a manner as to obstruct the view of any vehicular traffic on any such road, roadway, driveway or alley entering into such road. No trees shall be permitted to remain within a distance to so obstruct said traffic unless the foliage line is maintained at sufficient height to prevent obstruction of said sight lines.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this the 1st day of August, 1963.

Holland E. Greer (SEAL)
Holland E. Greer

Ann C. Greer (SEAL)
Ann C. Greer

Acknowledged in General Code Form by husband and wife, before Imogene Ward, a Notary Public for Lauderdale County, Alabama. (SEAL)

Filed: August 2, 1963.

Recorded, Book 804, Pages 363-6.