

THE STATE OF ALABAMA,
LIMESTONE COUNTY.

HOLLAND EAST SUBDIVISION
ADDITION NO. 3 RESTRICTIONS

28850

Reference: Plat of Holland East Subdivision, Addition No. 3, recorded on the 2nd day of August, 1994, in Plat Book F, Pages 150-151 of Plats and Maps in the Office of the Judge of Probate of Limestone County, Alabama, hereinafter referred to as "Subdivision Plat",

The Addition No. 3 restrictions hereinafter stated shall apply to all lots shown on subdivision plat, except Lot No. 113, which is excluded.

1. ARCHITECTURAL CONTROL COMMITTEE: In order that compliance may be had with these restrictions and to maintain an attractive harmonious appearance of the subdivision, the prospective builder will submit to the Architectural Control Committee a plot plan showing the location of the proposed construction on lot, plans consisting of outside elevations, floor plans, and any other plans and specifications necessary to identify all exterior characteristics and materials for dwelling, other buildings and structures. No construction shall begin until the Architectural Control Committee approves, in writing, the location and plans for the dwelling. The same will be required for any alteration, addition or other type construction not covered by the original approval. The Architectural Control Committee will not approve plans for a dwelling which is substantially identical to existing dwellings on, or approved plans for a dwelling to be placed on, any lot in any phase or addition of Holland East Subdivision. Until such time as all lots have been sold by Holland Land Corporation, the Architectural Control Committee shall be composed of three individuals, as designated by Holland Land Corporation, their representatives, assigns, or their agents, the act of any two to constitute the act of all. Subsequently, the Architectural Control Committee shall be the representatives of all the property owners, which representatives shall consist of a Committee of five duly elected by owners of a majority of the lots in the subdivision, the act of any three so duly elected to constitute the act of all. In each case, the Architectural Control Committee can allow minor deviations to any part of these restrictions, providing the intent of these restrictions is maintained, and the deviations are approved in writing.

No previously approved building or structure shall be used for any purpose other than that for which it was originally designed and approved without the prior written approval of the Architectural Control Committee.

2. LAND USE AND BUILDING TYPE: No building shall be

located upon the above described subdivision except single, detached family dwellings, with the usual accessory buildings customarily incidental to residential occupancy. These buildings shall be for the use of one family only and shall be for residential purposes only.

3. SUBDIVISION OF PARCELS: None of the lots as platted shall be subdivided, and not more than one dwelling, for the use of one family, shall be erected on any one lot on subdivision plat. Adjoining property owners may readjust property lines between lots provided the readjustment does not decrease the area of any lot more than ten per cent (10%). Any readjustment of property lines decreasing the area of any lot more than ten per cent (10%) must be approved in writing by the said Architectural Control Committee. In either case, minimum distances in Paragraph No. 4 below shall be maintained.

4. BUILDING LOCATION: Each dwelling must be located no closer to the street than the forty (40) foot building set-back line as shown on the subdivision plat and must be located so that it does not detract from the adjoining property, with the further requirement that no part of the dwelling shall be closer than fifteen (15) feet to either side of the property, except on Lots No. 32, 33, 34, 43, 44, 45, 54, 55 and 56 dwellings may be within ten (10) feet of sideline. No greenhouse, storage building, detached garage, or other accessory building may be located closer to the front street than the rear of the main dwelling, nor within an easement, nor closer than fifteen (15) feet to either sideline. On corner lots accessory buildings at rear of dwelling shall not be located closer to street than the building setback line on side street shown on subdivision plat.

The Architectural Control Committee will specify the direction that dwellings shall face on corner lots based upon design of dwelling, landscape, surrounding dwellings, topography, and other factors deemed appropriate to assure that dwelling blends into subdivision. Dwellings on other lots shall face a street adjacent to the lot on which the building is erected.

An owner of two adjoining lots desiring to build one dwelling on said two lots may elect to treat both lots as one for the purpose of these restrictions.

5. MINIMUM STRUCTURE AND SIZE:

- A. A one and one-half story house shall have a minimum finished living area of 1900 square feet on the first floor and a minimum living area of 700 square feet on the second floor.
- B. A two story house must have a minimum finished living area of 1400 square feet on each floor.
- C. A single level house, including a split level house

must have a minimum finished living area of 2400 square feet, except houses on Lots No. 32, 33, 34, 43, 44, 45, 54, 55 and 56 must have a minimum finished living area of 2200 square feet, with a minimum roof slope of 6/12 on all houses.

In all the above cases, these areas shall be exclusive of attached garages, carports, basements, attics, terraces, porches, breezeways, and other similar areas.

6. DWELLING, ACCESSORY BUILDING AND STRUCTURE QUALITY: Only dwellings of good conforming architectural design and suitable materials shall be erected in the above described subdivision. All accessory buildings and structures shall conform and blend with the dwelling in type and appearance. No construction that does not conform in character and comparative quality with the rest of the above described subdivision will be allowed. Concrete blocks or asbestos shingles shall not be used as outside finish. An exposed concrete block foundation shall not be permitted.

Construction must substantially comply with the latest code of the national Bureau of Fire Underwriter's, National Plumbing Code, National Electrical Code, and all codes and building requirements of the City of Athens, Alabama.

7. BUSINESSES: No business or trade of any kind shall be carried on or permitted upon any portion of the above described subdivision.

8. TEMPORARY DWELLINGS: No mobile home, garage, or other outbuilding erected or located upon said above described subdivision shall be used as a residence at any time, temporary or permanent, nor shall any residential dwelling or building of temporary character be permitted. No mobile home shall be allowed on the premises.

9. GARAGES: The entrance to a carport or garage (attached or detached) shall not face any street. A carport or detached garage shall have separate written approval from the Architectural Control Committee. Approval will be based on design and appeal of carport and detached garage.

10. WATER AND SEWAGE SYSTEMS: No water system or water supply source shall be used on any lot of this subdivision unless approved by the Limestone County Health Department and no sewage or waste disposal system or practices shall be allowed in the subdivision unless approved by the Limestone County Health Department.

11. VEHICLE STORAGE: No boat, boat trailer, trailer, motor home, recreational vehicle, truck larger than 3/4 ton, bus, disabled car, or any similar item shall be stored in the open on any lot for a period of time in excess of forty-eight (48) hours.

Boats and other recreational vehicles are permitted on rear portion of lot, if screened from street view.

12. CONSTRUCTION PERIOD: The construction of any residence shall be completed within one year from the beginning of construction thereof, the intent hereof being that no incompletely or partially completed residence shall be allowed to stand for more than one year in its incompletely or partially completed state. It shall be the obligation of lot owner during and after any construction on lot to clean up all scrap and secure all building materials and their coverings such that said scrap, material and coverings will not be blown or washed onto other property within Holland East Subdivision. If said lot owner fails to comply, Holland Land Corporation reserves the right to clean the said lot and surrounding property within Holland East Subdivision and said lot owner shall bear the expense. Establishment of lawn by sod or seeding and foundation shrubbery shall also be completed within one year from beginning of construction.

13. UNDERGROUND WIRING: No wiring for the transmission of electricity, telephone, television or any purpose shall be placed or maintained above the surface of the ground of any lot.

14. ANTENNAS: No external or outside antennas of any kind shall be maintained except television antennas on structured roofs or television antennas on rear portion of the lot; said antennas not to exceed twenty-five (25) feet above the ground. Satellite dishes will not be permitted until approved by the said Architectural Control Committee.

15. ANIMALS: No chicken house, barn, horses, hogs, cattle or livestock of any kind shall be maintained on any of said lots in the subdivision.

16. GENERAL LOT USE: Vegetable gardens shall be located to conform to general landscaping of each lot and screened from view by fence, hedge or other type of evergreen shrubbery. Clothes lines or other clothes hanging devices are prohibited.

17. FENCES: No chain link or wire fence will be allowed except when used inside a wood fence which completely screens it from view. Generally, a fence shall be located to the rear of the dwelling. On corner lot a fence on the side street shall not be located closer to the street than the building line on side street. Prior to construction of a fence, the location, materials and design shall be approved by the said Architectural Control Committee.

18. EASEMENTS: Public utility easements and drainage easements are as shown on the subdivision plat. Owners are cautioned that city vehicles must be capable of traversing the easement to maintain utilities and drainage. Trees, shrubs, etc. should be planted in compliance with City Ordinance 903 and in

such manner that vehicles will not damage them.

19. DRIVEWAYS: All driveways shall be constructed of concrete or asphalt with a minimum width of twelve (12) feet and a minimum of a seventeen (17) foot curb cut out. Any other type driveway shall have written approval from the said Architectural Control Committee.

20. BUILDING REPLACEMENT: These restrictions shall apply to any building originally constructed on the lots within the subdivision, any building or structure moved onto the lots, or to any replacement of any building or structure, or any addition thereto. If any building should be torn down or destroyed for any reason whatsoever, the building to be erected in its place shall likewise comply with all the provisions of these restrictions.

21. SCREENING: All heating fuel or other tanks, heating and air-conditioning units, garbage cans and material storage on lots shall be screened from view beginning not later than three (3) months after first occupancy of house.

22. MAINTENANCE OF VACANT LOTS: The owners of a vacant lot shall maintain lot to prevent erosion and deposit of soil into streets and onto adjacent owners and shall mow lot as necessary to prevent height of weeds and grass from exceeding 12 inches. If owner fails to comply, Holland Land Corporation reserves the right to cut said grass and owner shall bear the expenses of said cutting.

23. RESTRICTION CHANGES: Any of the restrictions imposed by this instrument may at any time be altered, omitted, amended or changed by a recorded instrument in writing agreed to and signed by the owner, or owners, of record, of seventy-five per cent (75%) of the lots in the above described subdivision.

24. COURT ACTION: The invalidation of any one or more of the covenants herein contained by decree or judgment of any Court shall in nowise affect the provisions remaining, each provision hereof being separate and severable, said remaining provisions to remain in full force and effect during the term hereof.

25. VIOLATIONS: If any party subject to the restrictions and covenants herein contained, his heirs and assigns, shall violate, or attempt to violate, any of the restrictions and covenants above enumerated, any other person, or persons, owning a lot in the said above subdivision, or any interest therein, may prosecute any proceeding at law, or in equity, against the person, or persons so violating, or attempting to violate, any restriction or covenant herein contained, and shall be entitled to injunctive relief to enjoin such violation, or attempted violation, and may further recover such damages as may have been sustained thereby.

26. COVENANTS: The covenants and restrictions hereinabove enumerated shall be covenants running with the land.

27. These restrictions shall remain in full force and effect until August 3, 2044.

HOLLAND LAND CORPORATION

BY Elliotte Holland
As Its President

THE STATE OF ALABAMA,

LIMESTONE COUNTY.

I, the undersigned, a Notary Public in and for said County and State, hereby certify that Elliotte Holland, whose name as President of Holland Land Corporation, 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, in his capacity as such President, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 3rd day of August, 1994.

Edna R. Bailey
Notary Public

This instrument prepared by:
James W. Woodroof, Jr.
McDaniel Bldg.
Athens, Alabama 35611

STATE OF ALABAMA

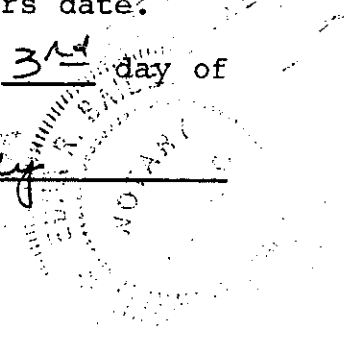
LIMESTONE COUNTY, PROBATE COURT

I hereby certify that the foregoing instrument was filed to record in this office on 8/4/94 at 1:49 PM o'clock and duly recorded in Fiche 94376 Page 61

Deed Tax \$ _____ Mig. Tax \$ _____ Fee \$ 15.00

Michael L. Davis, Judge of Probate

Michael L. Davis



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